

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

DURING ITS SESSION

A. D. 1855.

AUGUSTA:

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1855.

THIRTY-FOURTH LEGISLATURE.

HOUSE.

No. 10.

REPORTS

OF THE COMMITTEE ON DIVISION OF TOWNS, ON
THE PETITION OF NATH'L CUSHMAN AND
OTHERS, TOGETHER WITH A BILL.

MAJORITY REPORT.

Your Committee Report in favor of the division of the town of Belmont, and the incorporation of the northern part of said town into a new town by the name of Morrill, for the following reasons, to wit :

The town of Belmont is from nine to ten miles long, and from three to three and a half miles wide, and lies very convenient to form two towns, as it embraces two separate and distinct settlements with nothing to connect them but two poor and almost wholly untravelled roads, a village in each section of the town of nearly equal size, containing about an equal number of inhabitants, and about equal in wealth ; each containing a post office, and each situated about the same distance from the city of Belfast,—each settlement having also two public and much travelled roads passing through it to said city; each village also equally antagonistic to, and jealous of each other's welfare and prosperity, and each section subject to the same natural, present and future burdens, each having a mail route passing through it and each of nearly equal territory.

The southern part has the advantage over the northern by reason

of the town house being situated at the southern village, one half mile south of the centre, thereby giving the control of the municipal government to that part of the town, the contingent expenses of which have amounted to the sum of about four hundred dollars per annum for the ten past years, while that of other towns in the same county of little more than half the size have not amounted to more than one-sixth that sum.

At a late meeting of the inhabitants of said town, holden at the town house in the south part, one hundred and fifteen voted against the division, and eighty-five in favor. There were one hundred and five petitioners for the division. If the population has increased in proportion to the increase of the polls since 1850, as shown by the remonstrance, there would be at present 1,911 inhabitants, which would give to each of the towns a larger population than many other towns in the county of Waldo.

The "Agent licensed to sell liquors for *mechanical* and *medicinal* purposes" is located near the town house, and if it has been established and supported by the inhabitants on the northern portion of said town, as asserted by the remonstrants, it would prove advantageous to the southern section to be separated from such unwholesome influences. But the liquor agent himself appeared before the Committee as agent elected by the town to oppose the petitioners for the division—and we were led to believe by the evidence presented, that the appliances of this liquor agency were made use of in some cases to influence voters to oppose the interests of the petitioners at elections.

ALEX'R DENNETT,
IVORY HALL,
GEORGE BACON,
O. K. NASON,
NATHANIEL CHARLES.

MINORITY REPORT.

The undersigned, a minority of the Committee, on "Division of Towns," to whom was referred the petition of Nathaniel Cushman and others, asking for a division of the town of Belmont, being unable to agree with the majority of the Committee in favor of such division, respectfully ask leave to submit the reasons which have led them to their conclusions.

The town of Belmont is about nine miles long and three miles wide, one-third of its surface is covered with ponds, bogs and swamps and totally unfit for cultivation.

The population according to the last census was 1,486 and the entire valuation, \$125,215.

It will thus be seen that the town is far below the general average of our towns *in size, in population and in wealth*, and should not be divided unless there are strong reasons requiring it, such as we are unable to perceive in this case.

The town house is located at Belmont corner, a central part of the town for the transaction of town business, and but about one half mile south of the centre of the territory.

It was located at this corner, which comprises the principal village in the central part of the town, by a disinterested committee selected from other towns, and is at the junction of the two mail routes, between the Kennebec and Belfast.

The petitioners ask to have set off the northern part of the town, embracing more than half of the territory and half of the population. But in doing this they would take much more than half of the wealth of the town; the northern part containing the larger portion of the best farming land and farms, and would not carry with them an equal portion of the public burdens.

The larger portions of the public roads would be left upon the south part of the town, and the convenience of the public, and neighboring towns calling for other roads which will probably ere long be established through the south part.

In additions to this the burdens for the support of the poor, must be much larger upon that portion than it will be upon the better farming region embraced in the petition to be set off.

Nor were the reasons urged in favor of the division, such, as to overcome in our opinion the strong objections to the inequality and injustice that must result from the division.

The only reason stated in the petition published by the petitioners, is the distance required to be travelled to attend town meetings. It appeared in evidence before the committee that the greatest distance travelled by any citizen is six miles, and very few persons have to travel as far as this, and that of a majority of voters in this part of the town none are required to travel more than three miles to reach the town house.

This reason failing, some complaint was then made before the committee that the northern part of the town did not have, and had not had, its portion of the town officers; but a reference to the town records showed that there was no just complaint, on that account. It was then urged by the agent for the petitioners that the officers selected were not always such as they desired; but it appeared in the only case of this kind which he could specify, that his favorite candidate declined the canvass and refused to served if elected.

We feel constrained, here to notice what we regard as an attempt to prejudice this case by an effort to bring the liquor question to bear upon it. The agency licensed to sell spirituous liquors for medicinal and mechanical purposes, is situated at Belmont corner, which it will be recollected, is a little south of the centre; and it was hinted and pretended that the influence of this agency was arrayed against the northern part of the town, while a reference to the town records establishes the fact, that two of the three selectmen

who licensed the agency are in that very part and are among the petitioners.

The petitioner who made these complaints of exclusion from office, had himself, as had his friends, been repeatedly selected to preside at their town meetings and to occupy places of responsibility. In answer to this pretence of Rum influence, the remonstrants offered to show and point out on their remonstrance a greater number of temperance men, than the whole number of the petitioners, and they presented a list from the city agent at Belfast showing that he had supplied the petitioners and their section of the town with intoxicating liquors, more than fifty times from Dec. 22, 1854, to Feb. 5, 1855, a period of one month and fourteen days; which seemed a fair offset to this part of the complaint.

These are the principal reasons, or rather complaints, upon which a division of the town was claimed.

The undersigned feel constrained to regard them as too frivolous in their character to be seriously urged as just grounds for the division of any town.

If towns are to be cut up on such pretexts, we shall *invite* applications that will occupy the whole of the time of our Legislature.

But in this case there are so strong reasons against the dismemberment, that we cannot believe it will be sanctioned by the "sober second thought" of the Legislature.

The town is already small in territory, in population and in wealth; and a large majority of its voters are opposed to the division. The remonstrants are twice as numerous as the petitioners; and at a town meeting called to take the sense of the town, on the question, nearly three times as many voted against the division as there did in favor of it,—viz: 135 to 50.

If the division is made the southern part will be left *too small* and *too weak* to sustain with convenience a town organization, while the part to be set off will carry with it more than its fair proportion

of the wealth, and less than its proportion of the burdens naturally pertaining to the same.

All of which is respectfully submitted.

GEO. THORNDIKE,
S. H. RICHARDS,
JOHN HEALD.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND FIFTY-FIVE.

AN ACT to divide the town of Belmont and to incorporate the northerly part of said Belmont into a new town by the name of Morrill.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECTION 1. All that part of the town of Belmont
2 lying north of the following line to wit:—commen-
3 cing at the north east corner of lot numbered one of
4 said Belmont, in the westerly line of the city of Bel-
5 fast, thence westerly in the northerly line of lots
6 numbered one, two, three, four, five, six, seven, eight,
7 eleven, twelve, fifteen and sixteen, to the north west

8 corner of said lot numbered sixteen ; thence westerly
9 to the most western corner of lot numbered nineteen ;
10 thence west to the line of Searsmont, is hereby set off
11 from the town of Belmont, and incorporated into a
12 town by the name of Morrill ; and the inhabitants
13 thereof are hereby invested with all the powers, priv-
14 ileges and immunities, and subjected to the duties and
15 liabilities incident to the inhabitants of other towns
16 in this State.

SECT. 2. The inhabitants of said town of Morrill,
2 shall be holden to pay the arrears of all taxes which
3 have been legally assessed upon them by said town of
4 Belmont.

SECT. 3. The inhabitants of said town of Morrill,
2 shall be holden to pay the debts due from said town
3 of Belmont, and entitled to receive the debts and taxes
4 due to said town at the time this act shall take effect,
5 in the proportion that the valuation of that part of
6 Belmont, now included in said Morrill, bears to the
7 valuation of said town of Belmont ; and the valuation
8 herein mentioned, shall be the last annual valuation
9 of said town.

SECT. 4. The inhabitants of said town of Morrill

2 shall be holden to contribute towards the support of
3 all persons now chargeable as paupers, in said town
4 of Belmont according to the proportion specified in the
5 preceding section of this act; and all persons who may
6 hereafter become chargeable as paupers, shall be con-
7 sidered as belonging to that town on whose territory
8 they may have a legal settlement, and shall be sup-
9 ported by the same.

SECT. 5. The collector of taxes, for the town of
2 Belmont is hereby authorized and empowered to col-
3 lect and pay all taxes, to him committed, agreeably
4 to his warrant, and also all taxes which have been
5 legally assessed, and which may be hereafter commit-
6 ted to him.

SECT. 6. The said town of Belmont shall retain
2 the entire public property now owned by said town.

SECT. 7. Said towns of Belmont and Morrill, to-
2 gether with the towns of Brooks, Swanville and
3 Waldo shall constitute a district to elect one Repre-
4 sentative to the Legislature of this State, until other-
5 wise provided by law.

SECT. 8. This act shall be in force and take effect
2 from and after the approval by the Governor.

STATE OF MAINE.

IN SENATE, February 15, 1855.

This Bill, having had two several readings, passed to be engrossed.
Sent down for concurrence.

LOUIS O. COWAN, *Secretary.*

HOUSE OF REPRESENTATIVES, }
February 19, 1855. }

ORDERED, That 350 copies of the Reports of the Majority and Minority of the Committee on the Division of Towns, on the petition of Nathaniel Cushman and others, together with the foregoing bill, reported by a majority of said committee, be printed for the use of the Legislature

H. K. BAKER, *Clerk.*