

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1857.

PART SECOND.

AUGUSTA:
STEVENS & BLAINE, PRINTERS TO THE STATE.
1857.

THIRTY-SIXTH LEGISLATURE.

SENATE.]

[No. 14.]

STATE OF MAINE.

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

AN ACT to promote the Incorporation of Towns in
new settlements.

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

SECTION 1. The inhabitants of unincorporated
2 townships and parts of townships in the several coun-
3 ties in this state, shall be subject to become organized
4 in the manner and for the purposes hereinafter pro-
5 vided.

SECT. 2. Such organization shall be applied to

2 those unincorporated townships having not less than
3 three hundred inhabitants, to be ascertained in the
4 manner hereinafter provided, and to unincorporated
5 tracts and contiguous parts of townships, not exceed-
6 ing two adjoining parts or tracts, to be united for
7 such organization, and having together the number of
8 inhabitants aforesaid. But no two such tracts or
9 parts of townships, which would exceed in the aggre-
10 gate the extent of two townships of six miles square,
11 shall be united for organizing as aforesaid.

SECT. 3. It shall be the duty of the county com-
2 missioners of the several counties in which such un-
3 incorporated places may be situated, at their next
4 session, or at a meeting called for that purpose, after
5 this act shall take effect, to cause an enumeration to
6 be made of the inhabitants upon such unincorporated
7 places, so far as may be necessary to ascertain what
8 townships, tracts and parts of townships shall then
9 contain the number of inhabitants required for or-
10 ganization under this act, which enumeration shall be
11 taken and a return thereof made to the county com-
12 missioners, on or before the first day of July next;
13 and said county commissioner shall, once in five years

14 thereafter, when there is no census of the United
15 States taken within said five years, cause an enumer-
16 ation of the inhabitants upon such unincorporated
17 places to be made for the purposes aforesaid.

SECT. 4. Immediately upon such return being
2 made, it shall be the duty of the county commission-
3 ers to determine what tracts and parts of townships
4 may be most conveniently united together, having the
5 requisite number of inhabitants for such organization,
6 and to make some suitable description and designa-
7 tion of each of said united places, and to return such
8 descriptions and designations, together with the des-
9 cription of such whole townships as may have the
10 requisite number as aforesaid, to the Secretary of
11 State: all of such descriptions and designations shall
12 also be entered upon the records of the county com-
13 missioners,

SECT. 5. The county commissioners shall there-
2 upon issue a warrant to some principal inhabitant of
3 each of the places so described and designated, com-
4 manding him to notify the other inhabitants to assem-
5 ble on a day and at a place designated in such war-
6 rant, for the purpose of organizing such places as

7 plantations, and choosing all necessary plantation
8 officers; and a copy of such warrant shall be served
9 on said inhabitants, by being posted up in two public
10 places in the intended plantation, fourteen days before
11 the day of meeting; the person serving such warrant
12 shall return the same with his doings thereon to such
13 meeting.

SECT. 6. At such meeting, it shall be the duty of
2 the said inhabitants to organize the said plantations,
3 respectively; they shall choose all such officers, and
4 the said plantations, when so organized, shall possess
5 all the powers and privileges, and be liable to all the
6 duties which are provided in the case of plantations
7 organized under the provisions of the fourteenth chap-
8 ter of the revised statutes, by the forty-fourth section
9 of the said chapter relating thereto, except so much
10 thereof as imposes upon such plantations liabilities
11 for damages done or suffered through defects or want
12 of repair of the highways thereof, and under all the
13 provisions of the general laws of this state, which are
14 or may be enacted with reference to such plantations;
15 and the officers of the several plantations organized
16 under this act, shall have the same powers and be

17 subject to the same penalties, as are provided in the
18 case of plantations organized under the provisions of^f
19 the said forty-fourth section of the fourteenth chap-
20 ter of the revised statutes.

SECT. 7. From and after the respective times ap-
2 pointed by the warrants aforesaid, for the first meet-
3 ing of the inhabitants to organize in their several
4 places under the provisions of this act, the respective
5 territories described and designated as aforesaid, and
6 the inhabitants thereof shall cease to constitute any
7 part of any plantation organized for election pur-
8 poses, under the act approved October second, eighteen
9 hundred and forty; and at all general elections holden
10 after such times, under the constitution and laws of
11 this state, the said inhabitants being qualified electors
12 shall vote only in their respective plantations organ-
13 ized under this act, at meetings called and holden for
14 that purpose therein; and the returns of the votes
15 cast at such meetings shall be made by the assessors
16 and clerks of said plantations, in the same manner
17 as is provided by general law for the return of votes
18 cast in cities and towns.

SECT. 8. The assessors first chosen in the several

2 plantations under this act shall immediately after
3 their election, proceed to take an inventory of the
4 polls and estates within their respective limits, together
5 with the valuation of the property and estates therein,
6 in the manner and upon the principles provided by
7 law for making the inventory of polls and estates
8 and the valuation thereof in towns; and it shall be
9 the duty of the said assessors to return the same on
10 or before the first day of October next, to the county
11 commissioners in their several counties. In assessing
12 county taxes subsequent to the return so provided and
13 required, the county commissioners shall apportion
14 and assess to such plantations their respective ratable
15 proportions of the county taxes, according to the val-
16 uations returned by said assessors, which taxes shall
17 be assessed and collected within said plantations, in
18 the same manner as in towns.

SECT. 9. If the assessors of any of said planta-
2 tions shall neglect to make and return the valuation
3 of the same as hereinbefore provided, the county com-
4 missioners are empowered to appoint three or more
5 suitable persons in the county to be assessors of taxes
6 in such plantations; and such assessors being duly

7 sworn, shall make and return the valuation required
8 as aforesaid, within such time as the county commis-
9 sioners shall prescribe. And the return so made shall
10 be the basis for the apportionment and assessment of
11 county taxes upon such plantation, and the taxes
12 assessed upon such return, shall be collected in the
13 same manner as if the return had been made by the
14 assessors of the plantation.

SECT. 10. It shall be the duty of the Secretary of
2 State, immediately upon the approval of this act, to
3 furnish to the county commissioners of the several
4 counties affected by the provisions thereof, a sufficient
5 number of copies of the same for distribution in the
6 unincorporated places in their several counties.

SECT. 11. The plantations of Madawaska and
2 Van Buren, in the county of Aroostook, shall be,
3 and hereby are exempt from the provisions of this act
4 for the period of five years from its passage, and at
5 the end of which time all the provisions of this act
6 shall be applicable to said plantations, and it shall be
7 the duty of the county commissioners of said county
8 to organize the same in the manner provided for in
9 this act.

SECT. 12. The provisions of this act shall not be
2 applied to any islands lying on the sea-coast of
3 Maine.

SECT. 13. This act shall take effect on its approval
2 by the Governor.

STATE OF MAINE.

IN SENATE, April 1, 1857.

ORDERED, That 350 copies of the foregoing Bill (reported by Mr. Woodbury, from Joint Select Committee on Plantations,) be printed for the use of the Legislature.

ATTEST :

JOSEPH B. HALL, *Secretary*.