

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

1860.

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SIEVENS & SAYWARD, PRINTERS TO THE STATE.

1860.

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# THIRTY-NINTH LEGISLATURE.

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HOUSE.

No. 9.

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## REPORT

OF

### COMMITTEE ON DIVISION OF TOWNS.

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The Committee on Division of Towns, to which was referred the petition of the town of Paris, praying that certain lots set off last year from that town to Norway, might be set back, ask leave to make the following Report :

The committee appointed a time for hearing the case, to which both parties responded, and we gave the case a thorough examination, occupying two entire afternoons and evenings. The petitioners at the hearing did not ask to have the whole of the three lots set off last year set back this ; but only about one half, or not more than three-fifths, corresponding with the compromise line that was offered last year, not in the committee, but in the Legislature, as an amendment. The petition of last year asked for five lots, in the westerly range of lots in Paris, but only three, numbers 6, 7 and 8, were granted. The grounds upon which the petitioners of last year relied mainly, as stated in their petition were, that the people living on these lots would be better accommodated as to schools by being set off. It was proved that only three families lived on these lots, and they would all be left in Norway, by the compromise line ; the same state of things exist the present year. Another reason was,

that a great part of the land was owned by citizens of Norway, and that they were put to inconvenience in having this land in two towns. The ownership of the larger part of the land in Norway was not denied, but it was also shown, that part was owned by persons not living in either town, and a small part by citizens of Paris. The committee did not attach much importance to this consideration, as all these owners knew perfectly well that the land was in Paris when they purchased it, and the nature of the case precludes the possibility of being governed by that principle, that town lines must conform to the property limits of its inhabitants, it would destroy all wholesome regulations and open a wide avenue for the most oppressive kind of legislation—we feel to discard any innovation in such a direction. Another reason for asking for the land last year was the distance of the post office and church in Paris from the inhabitants of these lots; but this is fully met by the line now proposed, as it leaves all the inhabitants with all their property within the limits of Norway. Another reason was, that the road from Norway to South Paris through this territory, was chiefly traveled by the citizens of Norway and persons from the west, and that Norway would therefore be interested to keep it in better repair than Paris. The evidence in this particular failed to satisfy your committee that the road had not been kept in as good repair as is usual, and if not, the law furnishes an ample remedy, and there should not be an appeal to the Legislature for an extraordinary procedure, without first applying the legitimate means for redress.

The main point we apprehend, in which this case must be decided, is the comparative need of the villages of Norway on the West, and South Paris on the East, for this land for building purposes. The three lots contain over 500 acres of land, mostly covered with wood, part cleared and under cultivation. This land is worth about \$10,000, and the taxes thereon, which are about alike in the two towns, or perhaps less in Paris, are about \$100 more or less. There is a very short distance of road on these lots and easily kept in repair, while in Paris, it was proved that there is more length of road than in any other town in that region, and five or six bridges across the little Androscoggin, expensive to be built and kept in repair. The past population of the two towns is as follows:

PARIS AND NORWAY.

Norway—Census.	Valuation.	Taxes—Census.	Valuation.
1840—1786	1850—\$326,473	1840—2454	1850—\$418,259
1850—1962	1860— 540,355	1850—2883	1860— 803,564
Gain, 176	\$213,882	429	\$385,305

The proof was, that Norway village was, thirty or forty years ago, a village of considerable size, while South Paris hardly had an existence, but is now a village of nearly equal size, and doing fully an equal amount of business, nearly doubling its population within the last ten years, in consequence of the water power and the location of the depot of the Grand Trunk Railroad there, and that the chief growth of the town of Paris had been at the village of South Paris. There is a water power at Norway village derived from an unfailing fountain head, but the stream is very small, and there are three dams and places of machinery on it, and the upper occupant, during the summer and winter months, can at any time retain all the water, so that at the two dams in the village the machinery must lie still. It was further proved, that a spool factory at the middle dam could hoist its gates and draw off the water, so that the machinery on the opposite side, at the same dam would have no water. It was also proved, that there are three steam engines, in use in that village, to propel machinery, in consequence of the uncertainty of water. The water power at South Paris, has heretofore been subject to a measure of the same uncertainty, as that at Norway, by being controlled by upper owners, but by the purchase of the head of the little Androscoggin, it is believed that this uncertainty can no longer exist, and that the water power of this village is now unfailing and capable of carrying a great amount of machinery. It was also in proof, that the depot at this village does the business of importing goods, and exporting produce and lumber, and carrying passengers for a space of twenty miles wide on the west, and ten miles on the north, east and south, and from all that circle of comparatively thickly inhabited country, and thrifty population, there is a constant teaming and traveling to and from this centre at South Paris, which gives it an enviable position, and prospectively a rapid gain in population and wealth. Already the freight bills of goods brought by railroad in 1858, as prepared for this case last year, for citizens of South Paris, are in round numbers, \$5,000 to \$2,700

for citizens of Norway. The estimated amount for the year 1859, was somewhat less.

Thus it will be seen, that the evidence of the elements of future growth in South Paris would seem to exceed those of Norway, although the latter village has all that vigor and enterprise, which is necessary to keep pace with the former, and both are equally anxious for an honest and honorable competition. The proof in the case satisfied the committee the opportunities of the two villages for eligible lots for new buildings, leaving the disputed territory entirely out of view, are about equal; that the tendency of the building in Norway is towards South Paris, and in South Paris is towards Norway, and both towards the disputed territory. That it is 37 rods from the street in Norway to the west side of these lots, and only one house on that space, and 70 rods from the last house in South Paris to the east side of these lots. Establishing the compromise line as the boundary between the two towns, and the village of Norway, including the Steep Falls road, will have between the two villages on the disputed territory, 148 rods of road, for building purposes, and the village of South Paris will have 144 rods for the same purposes, while the probable need of South Paris for a part of this territory is as great, and we think greater than that of Norway. Under these circumstances it seems to your committee unjust to take the whole of the territory that is open for the expansion of either village away from Paris, which has had it in quiet possession ever since the organization of these towns, and give it to Norway; and we therefore came to the conclusion to divide it in the manner described in the bill, herewith submitted, so that both will have an equal opportunity for growth without interfering with the other. This compromised line seems to be a just and equitable division of this territory for the purposes indicated, and should satisfy the reasonable demand of Norway, as it meets all the substantial reasons which are offered for retaining the land by them which was set off last year, as your committee conceive, without a full knowledge, or understanding of the facts; and we believe that both towns, on sober reflection, will see that all their respective rights and interests have been carefully weighed, and we are convinced that the compromise line is the only one that can restore harmony and good feeling between those directly interested, and thus it will be the means of

ending an unfortunate controversy. By the light of such considerations, your committee, all being present, have agreed, with one exception, and do recommend the act which is herewith submitted, as peculiarly adapted to suit the exigencies of the case, and we bespeak for the whole matter your careful consideration.

CHARLES HANNAFORD, }  
 FREDERICK ROBIE, } *Chairmen.*

J. W. PORTER, }  
 PHINEAS TOLMAN, } *Senate.*

HORATIO H. CARTER, }  
 FREDERICK WEBBER, }  
 FRANKLIN SAWYER, } *House.*  
 WILLIAM C. SPRATT, }  
 GEORGE COMSTOCK, }

# STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
SIXTY.

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AN ACT to set off a part of Norway and re-annex the  
same to Paris.

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

SECTION 1. All that part of lots number six, seven  
2 and eight in the westerly range of lots formerly in  
3 Paris and set off therefrom by an act approved March  
4 eighteen, eighteen hundred fifty-nine, and annexed  
5 to Norway, which lies easterly and southerly of the  
6 following described line, is hereby set off from said  
7 Norway and re-annexed to Paris, viz : beginning in  
8 the northerly line of said lot number eight, at the centre  
9 of the old Rumford road so called ; thence following  
10 said centre southerly till it intersects the road from  
11 Norway to South Paris ; thence in a straight line  
12 through the agricultural grounds to the southeast corner  
13 thereof ; thence in a straight line to the northeasterly



14 corner of Titus O. Brown's homestead farm so called ;  
15 thence in the easterly line of his said farm to the Little  
16 Androscoggin river, and thence by said river westerly  
17 to the original line between Paris and Norway.

SECT. 2. The owners of the land hereby set back,  
2 shall pay all unpaid taxes legally assessed thereon to  
3 the town of Norway ; and this act shall take effect  
4 from and after its approval by the governor.

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
February 13, 1860. }

On motion of Mr. WOODBURY of Sweden,  
Laid on the table and 350 copies ordered to be printed for the  
use of the Legislature.

CHARLES A. MILLER, *Clerk.*