

MAINE STATE LEGISLATURE

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FORTY-NINTH LEGISLATURE.

HOUSE.

No. 37.

STATE OF MAINE.

The Committee on Legal Reform, to which was referred the report and recommendations of the Commissioners on the Revision of the Public Laws, have had the same under consideration, and ask leave to report the accompanying bill, and recommend that it be printed and recommitted.

Per order.

JOSEPH BAKER.

HOUSE OF REPRESENTATIVES, }
February 10, 1870. }

Read and accepted. Sent up for concurrence.

S. J. CHADBOURNE, *Clerk.*

IN SENATE, February 10, 1870.

Read and concurred.

SAMUEL W. LANE, *Secretary.*



STATE OF MAINE.

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

AN ACT providing for the organization of plantations.

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

SECTION 1. The county commissioners of the counties
2 containing unincorporated townships, shall at the ex-
3 piration of every period of five years from March in
4 the year of our Lord one thousand eight hundred and
5 sixty-one, determine from the United States census
6 when it shall have been taken the preceding year, and
7 by actual enumeration when such census has not been
8 so taken, what townships have not less than two hun-
9 dred and fifty inhabitants, and make a suitable descrip-
10 tion and designation thereof, and return them to the
11 secretary of state to be by him recorded.

SECT. 2. Immediately after making such return, said
2 commissioners shall issue their warrant to one of the
3 principal inhabitants of each of such unorganized town-
4 ships, commanding him to notify the inhabitants thereof

5 qualified to vote for governor, to assemble on a day and
6 at a place named in the warrant, to choose a modera-
7 tor, clerk, three assessors, treasurer, collector of taxes,
8 constable, superintending school committee and other
9 necessary plantation officers. Notice of such meeting
10 is to be given by posting an attested copy of the war-
11 rant therefor in two public and conspicuous places in
12 the township fourteen days before the day of meeting.
13 The warrant with such inhabitant's return thereon is to
14 be returned to the meeting, and the above named offi-
15 cers shall then be chosen and sworn. But any unin-
16 corporated or unorganized township containing any
17 number of inhabitants may be organized as provided
18 in the following sections.

SECT. 3. Any one or more of the county commis-
2 sioners on written application, signed by three or more
3 persons qualified as the constitution requires to be
4 voters, inhabitants of any unincorporated township in
5 their county, may issue a warrant to one of them re-
6 quiring him to warn a meeting of the qualified voters
7 of such place residing within the limits described in
8 the warrant, or when a state or county tax is laid on
9 such place, the state treasurer, or said commissioners
10 without application therefor, may issue such warrant
11 to one of the principal inhabitants of such place; and
12 in either case the warrant, notice of meeting and pro-

13 ceedings therein shall be the same as provided in the
14 preceding section, and thereupon all the laws of the
15 state applicable to organized plantations shall apply to
16 plantations organized as herein provided ; but planta-
17 tions organized upon the application of three or more
18 citizens thereof as above provided shall not be required
19 to pay state or county taxes unless by special order of
20 the legislature.

SECT. 4. At the time and place appointed for meet-
2 ings for the organization of plantations as provided in
3 the two preceding sections, a moderator shall be chosen
4 by ballot, by the voters present, to preside at such
5 meeting, and the person to whom the warrant was
6 directed shall preside till such moderator is chosen, and
7 by him sworn. A clerk, three assessors, treasurer, and
8 superintending school committee shall be chosen by
9 ballot and sworn by the moderator or a justice of the
10 peace. Other plantation officers may be chosen by
11 ballot, or other method agreed on by vote of the meet-
12 ing, and shall be duly sworn in the manner above
13 named.

SECT. 5. Upon the organization of a plantation, the
2 clerk and assessors thereof shall transmit to the secre-
3 tary of state, to be by him recorded, a certified copy of
4 the record of the meeting at which such organization

5 was effected, and a written description of the limits of
6 such plantation.

SECT. 6. The clerks of organized plantations shall
2 make return to the secretary of state on or before the
3 first day of May annually of the names of the assessors
4 and clerks of their several plantations, and that the
5 same have been duly sworn, and whenever any such
6 return shall not be made by any such plantation, the
7 secretary of state shall not furnish such plantation with
8 blanks for election returns, and no votes purporting to
9 be cast by any plantation neglecting to make such
10 return shall be counted or allowed by the governor and
11 council. But when a plantation is organized after the
12 first day of May of any year, such return is not re-
13 quired to be made by the clerk thereof during such
14 year. But the votes of such plantations shall not be
15 counted or allowed by the governor and council for
16 any purpose, during the year of its organization,
17 unless such organization be made at least sixty days
18 prior to the second Monday in September.

SECT. 7. All organized plantations shall hold their
2 annual meeting in March, and choose a clerk, three
3 assessors, treasurer, collector of taxes, constable, super-
4 intending school committee, one or more surveyors of
5 lumber, two or more fence viewers, and highway sur-

6 veyors in plantations wherein highway taxes are
7 assessed.

SECT. 8. All laws relating to calling, notifying and
2 and conducting town meetings, the election, appoint-
3 ment, qualification, duties, powers, compensation, lia-
4 bilities and penalties for official neglect and misconduct
5 of town officers apply to plantations and their officers,
6 as far as the same may be applicable thereto, unless
7 when specially otherwise provided. Voters in plan-
8 tations are liable to the same penalties for unlawful
9 voting as voters in towns are.

SECT. 9. The assessors of plantations shall be con-
2 sidered the selectmen thereof, for the purpose of
3 performing such duties as the selectmen of towns
4 perform. Treasurers, collectors, and constables of
5 plantations, shall give such bonds as such officers of
6 towns are required to give, to be approved in like
7 manner. The valuation of property for the purpose of
8 assessment of taxes in plantations, as well as the
9 assessment, collection and disposal thereof, shall be
10 the same as in towns.

SECT. 10. The assessors who shall be first chosen
2 in plantations organized under the provision of section
3 two of this act, shall immediately take an inventory
4 of the polls and valuation of the property therein, as
5 inventories and valuations are taken in towns, and

6 return them on or before the fifteenth day of May
7 following their election, to the county commissioners
8 of their county, who shall have power to examine and
9 correct the same in such manner as shall make it con-
10 form to the last state valuation, and return a copy of
11 such corrected valuation to the state treasurer, and
12 thereupon their ratable proportion according to such
13 valuation, of all state and county taxes, shall be
14 assessed on such plantations in the same manner as on
15 towns, and such plantations, and also such as may by
16 special order of the legislature be required to pay state
17 or county taxes, shall have power to raise money by
18 taxation for making and repairing ways in compliance
19 with the provisions of chapter eighteen, sections
20 twenty-eight and seventy-four of the revised statutes.
21 Such inventory and valuation in any plantation shall
22 be so taken, corrected and returned to the treasurer of
23 state, whenever required by him.

SECT. 11. All plantations have power to raise and
2 expend money for the support of schools, and making
3 and repairing school-houses, as provided in chapter
4 eleven, sections five, fifty-nine, sixty and sixty-one ;
5 for support of the poor, as provided in chapter twenty-
6 four, section thirty-seven ; and also such sums as may
7 be necessary to defray all legal plantation expenses.

SECT. 12. Organized plantations shall not be com-

2 posed of more than one township, and when organized
3 under the provisions of section two of this act, former
4 organizations cease to have any effect.

SECT. 13. When towns are incorporated, the assess-
2 ors thereof are required to return to the county com-
3 missioners of their county, the original valuation first
4 taken in their towns, on or before the fifteenth day of
5 May next following their incorporation, said valuation
6 to be examined, corrected, and a copy thereof returned
7 to the state treasurer, and become the basis of state
8 and county taxes in the same manner as the valuations
9 of plantations, as provided in section ten of this act.

SECT. 14. If such valuation is not made and re-
2 turned by any town or plantation within the time
3 specified, the county commissioners shall appoint three
4 suitable persons of the county to be assessors therein,
5 who shall be sworn and make and return the inventory
6 and valuation required, within the time fixed by said
7 commissioners; and such valuation shall be examined,
8 corrected, and a copy thereof returned to the state
9 treasurer and become a basis of the assessment of
10 state and county taxes, in the same manner as if the
11 valuation had been taken by the assessors chosen by
12 said town or plantation.

SECT. 15. The assessors appointed under the pro-
2 visions of the preceding section, shall be paid from

3 the county treasury a reasonable compensation for
4 their services, to be determined by the county com-
5 missioners, and any sum so paid shall be added to the
6 county tax apportioned to such town or plantation,
7 and shall be collected and paid into the treasury in
8 the same manner as county taxes are.

SECT. 16. Plantations organized upon the applica-
2 tion of three or more inhabitants thereof may at any
3 time be reorganized under the provisions of this act.

SECT. 17. Section seventy-seven of the fourth
2 chapter of the revised statutes is hereby amended by
3 striking out of the sixth and seventh lines the words
4 “the provisions of sections seventy, seventy-one and
5 seventy-five have been complied with,” and inserting
6 instead thereof the words, “the plantation has been
7 duly organized and the provisions of section seventy-
8 five have been fully complied with.” Section
9 seventy-five chapter six of the revised statutes is
10 amended by striking out of said section all after the
11 word “may” in the third line to and including the
12 word “sworn” in the twelfth line, and inserting in-
13 stead thereof the words, “cause such unorganized
14 place to be organized as provided for the organization
15 of plantations ascertained to contain two hundred and
16 fifty inhabitants.” Section seventy-six of chapter six
17 of the revised statutes is amended by adding thereto

18 the following words: "and proceed to make assess-
19 ment of taxes and cause the same to be collected as
20 required by law." Section seventy-seven of said
21 chapter six is hereby repealed and the following sec-
22 tion substituted therefor:

23 *Sect. 77.* All laws of the state applicable to or-
24 ganized plantations shall apply to plantations organ-
25 ized as provided in section seventy-five.

SECT. 18. The provisions of this act shall not effect
2 the rights or proceedings of any plantation heretofore
3 legally organized.

SECT. 19. This act shall take effect when approved.