

# MAINE STATE LEGISLATURE

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# FORTY-NINTH LEGISLATURE.

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HOUSE.

No. 87.

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## STATE OF MAINE.

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

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AN ACT providing for the organization of plantations.

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*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 taken the preceding year, and by actual enumer-  
7 ation when not so taken, what townships have not less  
8 than two hundred and fifty inhabitants, and make a  
9 suitable description and designation thereof, and return  
10 them to the 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 unincorporated  
4 townships, commanding him to notify the inhabitants  
5 thereof qualified to vote for governor, to assemble on a  
6 day and at a place named in the warrant, to choose a  
7 moderator, clerk, three assessors, treasurer, collector of  
8 taxes, constable, superintending school committee and  
9 other necessary plantation officers. Notice of such  
10 meeting is to be given by posting an attested copy of  
11 the warrant therefor in two public and conspicuous  
12 places in the township fourteen days before the day of  
13 meeting. The warrant with such inhabitant's return  
14 thereon is to be returned to the meeting, and the above  
15 named officers shall then be chosen and sworn.

SECT. 3. But any unincorporated or unorganized  
2 township containing any number of inhabitants may be  
3 organized as follows :

4 Any one or more of the county commissioners on  
5 written application, signed by three or more persons  
6 qualified as the constitution requires to be voters, in-  
7 habitants of any unincorporated or unorganized town-  
8 ship in their county, may issue a warrant to one of  
9 them requiring him to warn a meeting of the qualified  
10 voters of such place residing within the limits described  
11 in the warrant ; or when a state or county tax is laid  
12 on such place, the state treasurer, or said commission-  
13 ers without application therefor, may issue such war-

14 rant to one of the principal inhabitants of such place ;  
15 and in either case the warrant, notice of meeting and  
17 proceedings therein, shall be the same as provided in  
18 the preceding section.

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,  
7 and by him sworn. A clerk, three assessors, treas-  
8 urer, collector and superintending school committee,  
9 shall be chosen by ballot and sworn by the moderator  
10 or a justice of the peace. Other plantation officers  
11 may be chosen by ballot, or other method agreed on  
12 by vote of the meeting, and shall be duly sworn in the  
13 manner above 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  
4 of all the proceedings had in effecting such organiza-  
5 tion, including the petition for organization, if any,  
6 the warrant issued therefor and the return thereon,  
7 and the record of meeting held in pursuance thereof,  
8 and also a written description of the limits of the plan-  
9 tation ; and thereupon all the laws of the state appli-

10 cable to organized plantations shall apply to planta-  
11 tions organized as herein provided; but plantations  
12 organized upon the application of three or more  
13 citizens thereof as above provided, shall not be required  
14 to pay state or county taxes unless by special order of  
15 the legislature.

SECT. 6. 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. 7. 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 when any such return  
6 is not made by any such plantation, the secretary of  
7 state shall not furnish such plantation with blanks for  
8 election returns, and no votes purporting to be cast by  
• 9 any plantation neglecting to make such return shall be  
10 counted or allowed by the governor and council. But  
11 when a plantation is organized after the first day of  
12 May of any year, such return is not required to be  
13 made by the clerk thereof during such year. But the

14 votes of such plantations shall not be counted or allow-  
15 ed by the governor and council for any purpose, during  
16 the year of its organization, unless such organization  
17 be made at least sixty days prior to the second Monday  
18 in September.

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

SECT. 9. The assessors of plantations shall be con-  
2 sidered the selectmen thereof, for the purpose of per-  
3 forming such duties as the selectmen of towns perform.  
4 Treasurers, collectors, and constables of plantations,  
5 shall give such bonds as such officers of towns are  
6 required to give, to be approved in like manner. The  
7 valuation of property for the purpose of assessment  
8 of taxes in plantations, as well as the assessment, col-  
9 lection and disposal thereof, shall be the same as in  
10 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 the same are taken in towns, and return them on or  
6 before the fifteenth day of May following their elec-  
7 tion, to the county commissioners of their county, who  
8 shall have power to examine and correct the same in  
9 such manner as shall make it conform to the last state  
10 valuation, and return a copy of such corrected valua-  
11 tion to the state treasurer, and thereupon their ratable  
12 proportion according to such valuation, of all state and  
13 county taxes, shall be assessed on such plantations in  
14 the same manner as on towns, and such plantations,  
15 and also such as may by special order of the legislature  
16 be required to pay state or county taxes, shall have  
17 power to raise money by taxation for making and  
18 repairing ways in compliance with the provisions of  
19 chapter eighteen, sections twenty-eight and seventy-  
20 four of the revised statutes. Such inventory and  
21 valuation in any plantation shall be so taken, cor-  
22 rected and returned to the treasurer of state whenever  
23 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 missioner 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 and a copy thereof returned to the state  
9 treasurer and become a basis of the assessment of state  
10 and county taxes, in the same manner as if the valua-



11 tion had been taken by the assessors chosen by said  
12 town or plantation.

SECT. 15. The assessors appointed under the pro-  
2 visions of the preceding section, shall be paid from the  
3 county treasury a reasonable compensation for their  
4 services, to be determined by the county commission-  
5 ers, and any sum so paid shall be added to the county  
6 tax apportioned to such town or plantation, and shall  
7 be collected and paid into the treasury in the same  
8 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 chap-  
2 ter of the revised statutes is hereby amended so as to  
3 read as follows :

4 *Sect. 77.* If it does not appear by the return of the  
5 list of voters so posted up, and of the names of the  
6 voters on said list, who were actually present and  
7 voted at such election, and by the return of its organ-  
8 ization duly signed and made to the office of the sec-  
9 retary of state within the time required by law, that  
10 the plantation has been duly organized and that the  
11 provisions of section seventy-five have been fully com-  
12 plied with, the votes of such plantation shall be re-

13 jected, and not counted for any of said officers. The  
14 secretary of state shall furnish to the clerks of all such  
15 plantations suitable blanks for the returns herein re-  
16 quired.

SECT. 18. Section seventy-five, chapter six, of the  
2 revised statutes is amended by striking out of said  
3 section all after the word " may " in the third line to  
4 and including the word " sworn " in the twelfth line,  
5 and inserting instead thereof the words, " cause the  
6 same to be organized as provided for the organization  
7 of plantations ascertained to contain two hundred and  
8 fifty inhabitants." Section seventy-six of chapter six  
9 of the revised statutes is amended by adding thereto  
10 the following words: " and proceed to make assess-  
11 ment of taxes and cause the same to be collected as  
12 required by law." Section seventy-seven of said  
13 chapter six is hereby repealed and the following sec-  
14 tion substituted therefor :

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

SECT. 19. The provisions of this act shall not effect  
2 the rights or proceedings of any plantation heretofore  
3 legally organized.

SECT. 20. This act shall take effect when approved.



STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }  
February 25, 1870. }

Reported from the Committee on Legal Reform, by Mr. BAKER,  
and printed under the rules.

S. J. CHADBOURNE, *Clerk.*