

# MAINE STATE LEGISLATURE

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# FIFTY-SECOND LEGISLATURE.

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HOUSE.

No. 55.

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## STATE OF MAINE.

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The Committee on Legal Affairs to which was referred the petition of John Robbins and others, praying for repeal or such modification of act of 1872, changing shire town of Somerset county from Norridgewock to Skowhegan, as to submit the question of removal to the people of Somerset county, have had the same under consideration, and ask leave to report that the petitioners have leave to withdraw.

Per order.

W. W. THOMAS, JR.

## STATE OF MAINE.

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The undersigned, of Committee on Legal Affairs, to which was referred the petition of numerous citizens of the county of Somerset, praying that the act of 1872, by which the shire town of Somerset county was changed from Norridgewock to Skowhegan, be repealed, or so modified as to submit the question of removal to the people of the county, having had the same under consideration, and being unable to agree with a majority of the Committee who sat at the hearing, ask leave to submit, in brief, the facts and reasons which influenced us to report the accompanying bill, submitting the question to the people, and recommending that it pass.

JOHN MAY,  
L. T. MASON.

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The county of Somerset was organized in 1809. Norridgewock was made the shire town. One of its citizens gave a lot for the Jail and provided a house in which to hold the Courts till a Court House was built in 1820 on a lot given the county by the town.

In 1830 the population of the county was greater than at present.

In 1833 two towns were set off from the eastern part to Penobscot. In 1838, eight towns were taken from the east to help form the county of Piscataquis, and a like number from the west to form the county of Franklin. So that Norridgewock has maintained about the same relation to the exterior lines of the county from its organization.

The population during the last forty years at the several decades has been as follows:

In 1830,	Population,	35,787.
“ 1840,	“	33,912.
“ 1850,	“	35,581.
“ 1860,	“	36,547.
“ 1870,	“	34,549.

It appears that the population was actually less in 1870 than at any time during this whole period except in 1840, which was but two years after sixteen towns had been taken from the county.

It was stated before the Committee, and not controverted, that the business done in the Courts had greatly decreased within the last twenty years.

Soon after Skowhegan became the terminus of the railroad extending into the county, an effort was made to change the shire town to that place. The Court House and Jail were in need of somewhat extensive repairs, and that was urged as a reason for the change. The legislature declined to remove, and quite extensive repairs were made both upon Court House and Jail—the latter being entirely rebuilt in 1859, so that it is regarded by all parties as sufficient.

In 1865 another effort was made to remove the shire to Skowhegan, and after considerable discussion the question was submitted to the people to be voted upon at the September election.

An inspection of that vote shows that less than 900 persons voted in favor of Skowhegan while more than 5,000 voted in favor of the shire remaining at Norridgewock. More than one half of the votes in favor of the change were given by persons residing in Skowhegan, no other town giving more than a small fraction of its vote for it.

In 1871 petitions were presented to the legislature for a single term of the Court to be held at Skowhegan, but this the legislature did not grant. In 1872 the matter again came before the legislature, and the act now sought to be repealed was passed. It was stated before the Committee that those opposed to the change, living in the eastern part of the county, did not appear at the hearing in 1872 relying on the precedent of 1865, and believing the question would be submitted to a vote of the people.

The act making Skowhegan the shire town was approved February 15, 1872. Subsequently a supplementary act was introduced to which an amendment was offered in the House, submitting the entire question of change to a vote of the people, and adopted by a decisive majority. The Senate did not concur (the vote being a tie) in adopting the amendment, and the bill died between the two Houses, the matter coming up at the very close of the session.

It appears to have been then understood by all parties that the question would be presented to this legislature, and whatever has

been done since must have been done with a full knowledge of this fact.

At the time of the action of the House last year to submit the question to the people, Skowhegan had prepared offices, &c., as required in the bill of that year. It was provided in the amendment adopted by the House, that if the people should not approve of the act making Skowhegan the shire town, then such sums as that town had properly expended under the act should be reimbursed. The bill submitted herewith contains a similar provision. It was urged upon the Committee that a lot has been purchased for a Court House by the town of Skowhegan, and a contract been made to furnish granite for foundation for House. This was done after the September election, which was said to have turned very much on this issue of submitting the question to the people. We do not perceive that the legislature can properly take notice of any contracts thus made. We deem it a more suitable question for the people of that county to consider and determine with all the matters involved.

Both Skowhegan and Norridgewock are far removed from the geographical centre of the county. Since Skowhegan has been the terminus of the railroad it has become an important business centre. It is claimed, however, that when the Somerset Railroad, whose rails are now laid to Norridgewock, shall be completed to Anson and Solon, it will work a very great change. And it was in testimony from Mr. Parlin, that he favored last year the change to Skowhegan, but now, in consequence of the prospect of the early completion of the Somerset Railroad, he favored restoration to Norridgewock. It must be obvious that the extension of railroads into the interior of that county will work great changes in its business relations. The fact that it is yet undeveloped was probably one of the reasons why the people so decisively rejected the proposed change in 1865; and it is submitted that it would be unwise to take such action as would serve to fix permanently the shire in a border town of a county of such great extent and undeveloped resources as this.

It was further urged upon the Committee that Gov. Coburn had proposed to build a Court House free of expense to the county, and therefore this matter should not be submitted to the people. We think this is a matter between Gov. Coburn and the people of the county of Somerset.

The law imposes the duty of erecting and maintaining suitable

county buildings in the shire town upon the people of the county. Counties are created mainly for the convenience and benefit of the people residing in them. They determine for themselves the suitability, style and cost of their public buildings, and raise by tax upon themselves the money to pay for them.

We deem it eminently suitable, in consonance with the genius of our institutions, and the practice of the Legislature, where division of opinion exists as to the location of a shire town, to submit that question to the decision of the people, for whose convenience and benefit the shire town is established, and with whose money the public institutions in it are maintained.

More than 2,700 voters of the county of Somerset ask to have this question submitted to them. To deny the competency of the people of that county to pass upon it would be denying the most fundamental principles of our government. We do not feel at liberty to do so, and therefore report the accompanying bill, which we think fully secures the rights of all parties.

# STATE OF MAINE.

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

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AN ACT to submit to the people of the county of Somerset the question of restoring the shire town of said county to Norridgewock.

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

SECTION 1. An act approved February fifteenth, 2 eighteen hundred and seventy-two, entitled an act 3 to change the place of holding the supreme judicial 4 court in the county of Somerset and to change the 5 shire town of Somerset county, is hereby repealed, and 6 all acts and parts of acts, repealed, modified or in any 7 way affected by said act approved February fifteenth, 8 eighteen hundred seventy-two, are hereby revived and 9 restored to their former force and effect. And all 10 business pending, when the foregoing provision shall 11 take effect, in the supreme judicial court and in the 12 county commissioners court in said county, shall have 13 day in the same, and all processes, matters and things 14 returnable to either of said courts, shall be entered,

15 have day and go to final judgment in said courts held  
16 in the town or Norridgewock ; and the foregoing pro-  
17 visions shall take effect and be in force from and after  
18 the first day of May in the year eighteen hundred  
19 seventy-three ; *provided*, the same shall be approved  
20 by the legal voters of said county, who shall at meet-  
21 ings thereof, to be held on the second Monday of  
22 March of the present year, within their several towns  
23 and plantations, give in their ballots for or against the  
24 restoration of the shire town of said county to Nor-  
25 ridgewock, as provided herein. And all those voters  
26 in favor of restoring the shire town to Norridgewock  
27 shall give in their ballots with the word "YES"  
28 written or printed thereon, and those opposed with the  
29 word "NO" written or printed thereon, and these  
30 votes shall be received, sorted, counted and declared,  
31 and a return thereof, signed and attested as votes for  
32 county officers are required to be, shall, within ten  
33 days from said meeting, be made to the clerk of the  
34 county commissioners in said county, and commis-  
35 sioners shall immediately count said votes, and make  
36 proclamation of the result, and cause the same to be  
37 published in the several papers printed in said county  
38 three weeks successively after the first publication  
39 thereof, and if it shall appear that a majority of said  
40 ballots shall have written or printed thereon the word



41 “YES,” then this act shall take effect and operate to  
 42 restore the shire town of said county to Norridgewock  
 43 as provided herein ; otherwise this act shall be null  
 44 and void.

SECT. 2. If the shire town of the county Somerset  
 2 shall be restored to Norridgewock, under the provis-  
 3 ions of this act, the town of Skowhegan shall be  
 4 entitled to an equitable reimbursement of such sums  
 5 as said town has expended under the act changing the  
 6 shire town of Somerset county, approved February  
 7 fifteen, eighteen hundred and seventy-two, and the  
 8 county commissioners of said county shall audit and  
 9 order the same paid from the county treasury.

SECT. 3. The secretary of state shall furnish the  
 2 several towns and plantations in the county of Somer-  
 3 set with a printed copy of this act immediately after  
 4 its approval by the governor.

SECT. 4. This act shall take effect when approved.

## STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }  
 February 18, 1873. }

On motion of Mr. MANSON of Pittsfield, laid on the table and  
 ordered printed with the Minority Report, and Thursday next  
 assigned for its consideration.

S. J. CHADBOURNE, *Clerk.*