

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIFTY-THIRD LEGISLATURE.

HOUSE.

No. 90.

STATEMENT OF FACTS.

The Committee on Legal Affairs beg leave to report that they find the following to be a full statement of the important facts of the case :

That the town of Westbrook was sub-divided into the town of Deering and the present town of Westbrook, by chapter 628, special laws of 1871. By section 5th of this chapter, it was enacted that since this division, the town of Westbrook has passed a vote abolishing school districts, has taken possession of all school houses and other school property within its limits, has appraised the same, has assessed and levied a tax upon the whole town of Westbrook, equal to the whole amount of said appraisal, and has remitted to the tax-payers of Westbrook, residing in the different school districts, situated wholly or in part in said Westbrook, the appraised value of the school property so taken from such districts, but has paid nothing to any tax-payers of Deering, residing in districts situated partly in Deering and partly in Westbrook, but refuses to do so.

That upon the division of said towns there were four school districts, which after the division were situated partly in Deering and partly in Westbrook. That the school houses and other school property of three of these districts are situated in the present town of Westbrook. That the town of Westbrook, under the above proceedings, has taken possession of all the school houses and school property in said three school districts, and has appraised the same in the same manner as school houses and other school property situated in school districts lying wholly in the town of Westbrook.

That the town of Westbrook has established graded schools and that the town of Deering desires to do the same. That the residents of Deering residing in districts lying partly in Deering and partly in Westbrook, desire to be finally separated from the town of Westbrook, and to have a just and proper compensation for the school houses and other school property formerly belonging to such districts which have been so taken possession of and appraised by the town of Westbrook.

STATE OF MAINE.

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

AN ACT amendatory of and additional to chapter six hundred and twenty-eight of the special laws of eighteen hundred and seventy-one, entitled "an act to incorporate the town of Deering."

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

SECTION 1. Section five of chapter six hundred and 2 twenty-eight of the special laws of eighteen hundred 3 and seventy-one, is hereby repealed.

SECT. 2. That in all cases where by the provisions 2 of chapter six hundred and twenty-eight of the special 3 laws of eighteen hundred and seventy-one, school dis- 4 tricts became situated partly in the town of Deering 5 and partly in the town of Westbrook, the town in 6 which the school property of any school district so 7 divided became situated, shall, on or before the first 8 day of June, eighteen hundred and seventy-four, pay 9 to the town not having within its limits any of the 10 school property of a school district so divided, a sum

11 of money bearing the same ratio to the value of said
12 school property as the entire valuation of taxable
13 property situated in the part of said school district not
14 having any of said school property, bears to the entire
15 valuation of the taxable property of the whole territory
16 of said school district, as it existed before said divi-
17 sion, said value of said school property to be the same
18 as appraised in the year eighteen hundred and seventy-
19 three; or in cases where no appraisal thereof was
20 made in the year eighteen hundred and seventy-three,
21 then according to the next appraisal thereof, which
22 shall be made before the first day of June, eighteen
23 hundred and seventy-four; said valuation of taxable
24 property to be the same as last made in said school
25 districts by the town of Westbrook.

SECT. 3. A sum of money equal to the amount to
2 be received by each town under the provisions of the
3 foregoing section, shall be remitted at the next annual
4 assessment to the tax-payers of the portions of the dis-
5 tricts upon whose account said payments are to be made,
6 or to the duly authorized agents of said tax-payers.

STATE OF MAINE.

In HOUSE OF REPRESENTATIVES, }
February 20, 1874. }

Reported from the Committee on Legal Affairs, by Mr. SWASEY, ordered printed and
referred to the next Legislature.

SUMNER J. CHADBOURNE, Clerk.