

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 548

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIVE.

AN ACT to empower the county of Aroostook to purchase and acquire title to lands adapted to agricultural purposes in said county.

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

Section 1. The county of Aroostook is hereby authorized
2 to purchase any township or tract of land in said county
3 adapted to agricultural purposes and desirable for settle-
4 ment, and for that purpose may issue bonds of said county
5 to an amount equal to one per cent of the valuation of said
6 county as established by the legislature or the State board
7 of assessors in the year nineteen hundred and five.

Sect. 2. There shall be submitted to the voters of the sev-
2 eral towns and organized plantations in said county, within

3 ninety days after the approval of this act, the following
4 proposition: "Shall the county of Aroostook purchase lands
5 and open them up for settlement and for this purpose issue
6 bonds of the county to an amount equal to one per cent of
7 the valuation of the county?" And it is hereby made the
8 duty of the county commissioners of said county to appoint
9 a day within that time for meetings to vote thereon, and to
10 notify the selectmen of the towns and assessors of planta-
11 tions thereof, leaving sufficient time for calling said meet-
12 ings in the usual form for town meetings. Said commis-
13 sioners shall cause to be prepared printed forms for the war-
14 rants and returns of said meetings, and transmit them with
15 their notifications to town and plantation officers as above
16 prescribed.

Sect. 3. The selectmen of towns and the assessors of plan-
2 tations in said county shall call meetings on the day
3 appointed, by issuing and posting warrants therefor as for
4 other town meetings. No such meeting shall be opened
5 before ten o'clock in the forenoon or later than one o'clock
6 in the afternoon, and the polls shall be kept open until five
7 o'clock in the afternoon and then be closed.

Sect. 4. At said meetings the vote shall be taken by
2 printed or written ballots, and those in favor of said propo-
3 sition shall vote "Yes," and those opposed shall vote "No,"
4 and the ballots cast shall be sorted and counted and the vote
5 declared in open meeting. The municipal officers shall pre-
6 side as at State elections, and make returns thereof to the
7 county commissioners by depositing in some postoffice in
8 said county within twenty-four hours after the close of said
9 poll, their return of the votes cast, post paid, directed to the
10 clerk of courts at Houlton in said county, to be transmitted
11 by mail, or personally delivered to said clerk within that
12 time.

Sect. 5. The county commissioners of said county shall
2 meet at the court house at Houlton ten days after said meet-
3 ing and canvass the returns and declare the result, and the
4 result shall be recorded by the clerk of courts, and be certi-
5 fied on the record by said commissioners and clerk, and said
6 record shall be the only record required of the votes cast
7 under this act, and in case a majority of the ballots cast and
8 returned as aforesaid, are in favor of said proposition, said
9 commissioners shall carry out the provisions of this act, as
10 ratified by such vote in manner hereinafter provided. But
11 if the majority of the ballots cast and returned as aforesaid
12 are opposed to said proposition, then after the expiration of
13 six months from the date of said first meeting, said commis-
14 sioners upon the written application of one hundred or more
15 legal voters residing in said county, shall appoint a second
16 day for meeting to vote upon said proposition, in the same
17 manner heretofore provided for, but no more than two votes
18 shall be thus taken upon this proposition.

Sect. 6. In case said proposition is adopted as herein-
2 before provided, the county commissioners of said county
3 may purchase for the county any township or tract of land
4 in said county that in their judgment is adapted to agricul-
5 tural purposes and desirable for settlement, the deed to run
6 to the inhabitants of said county.

Sect. 7. Whenever any land shall be purchased as author-
2 ized under this act, said board shall cause the same to be
3 explored, roads located and built, build all bridges that may
4 be required so as to best convene said lands, and cause the
5 same to be surveyed into lots, and an accurate map or plan
6 of all lands surveyed shall be returned to the State land office
7 and entered upon the plan book within three months after
8 the survey is completed, on which shall be laid down all
9 lakes, ponds, rivers, streams, falls, mill sites and roads. The
10 field notes of such surveys shall be deposited in the land

11 office and shall contain a description of the growth, soil and
12 general character of each lot, said plan and field notes shall
13 be made in duplicate, one copy of which shall be kept at the
14 land office in Augusta, and one copy in the office of the reg-
15 ister of deeds for the district in which the land is located,
16 open for inspection at all times when the registry office is
17 open, or when the land agent or his assistant is there, and
18 the county commissioners shall furnish information about
19 said land to all who seek for it at their office.

Sect. 8. When any township or tract of land has been
2 purchased for settlement the county commissioners shall
3 have authority to locate and build all roads that may be
4 required across any adjoining towns, township or townships
5 for the purpose of connecting with the roads or highways
6 located to accommodate any lands purchased as authorized
7 by this act. Roads so located shall be built under the direc-
8 tion of the county commissioners and at the expense of the
9 county.

Sect. 9. The county commissioners shall sell and convey
2 any of the lots that have been surveyed, at a price fixed by
3 them, at not less than the cost of said land together with the
4 expense of building roads and making surveys, to actual
5 settlers, and no more than two hundred acres shall be sold
6 to any one person. The purchaser shall pay in cash at the
7 time of the purchase not less than two dollars per acre for
8 each acre purchased, and give his note or notes for the
9 balance, payable in not more than six years, with interest
10 annually, and shall establish his residence on his lot within
11 two years from the date of the certificate, and within four
12 years from such date shall clear on each lot not less than
13 fifteen acres, ten at least of which shall be well laid down to
14 grass, and build a comfortable dwelling on said lot, and the
15 commissioners shall give him at the time of purchase a cer-
16 tificate stating that he has become a purchaser of the lot or

17 lots therein described, and that he will be entitled to a deed
18 thereof when he has complied with the requirements of the
19 law.

Sect. 10. If the purchaser or his heirs or assigns fail to
2 perform any of the duties required, and to pay his notes, the
3 land may be forfeited to the county and said commissioners
4 may dispose of it to another person.

Sect. 11. Said commissioners may appoint some suitable
2 person in the vicinity to superintend the location of settlers
3 and the performance of their several duties.

Sect. 12. Said commissioners are hereby authorized to
2 convey by deed in the name of the inhabitants of said county,
3 to any purchaser of land as aforesaid. Before giving a deed
4 to any purchaser of the land, they shall ascertain whether
5 the requirements of the law have been complied with by such
6 purchaser, his heirs or assigns, and for that purpose the cer-
7 tificate of the person appointed by them to superintend the
8 location of settlers under such regulations and modes of
9 proof as they may prescribe shall be evidence, or they may
10 make personal examination of the land, and when such con-
11 ditions have been complied with, each purchaser, his heirs
12 or assigns shall be entitled to an absolute deed of said land.

Sect. 13. Any lawful holder of the said commissioner's
2 certificate of a lot of land purchased of the county under the
3 provisions of this act, may commence and maintain in his
4 own name any action relating to the same, against any party
5 except the county or any person claiming under the county,
6 by a subsequent title the same as if he held a deed conveying
7 to him the county's title in the land described in the certifi-
8 cate at the date thereof.

Sect. 14. The actual settler who has purchased land of the
2 county under the provisions of this act, may cut thereon any
3 timber he needs for building or fencing thereof, and the

4 county commissioners may permit the purchaser to cut any
5 timber or lumber on said lot by paying to the county the
6 market price per thousand feet for the same, to be allowed
7 in payment of the notes given in payment for said land, and
8 said commissioners are authorized to issue permits for the
9 cutting of timber or lumber upon lots that in their opinion
10 are not suitable for settlement, or upon such lots as remain
11 unsold.

Sect. 15. Any purchaser of land under this act having a
2 wife, shall not convey the same by deed unless his wife joins
3 therein and acknowledges it to be her free act and deed
4 before a proper magistrate.

Sect. 16. If any part of a township or tract of land is
2 purchased and is owned by the county in common and undi-
3 vided with other owners or tenants, and when in the judg-
4 ment of the county commissioners the whole cannot be pur-
5 chased at a reasonable price, they may enter into an agree-
6 ment with the other owners for a partition of the same, and
7 they are authorized to make and execute all deeds in behalf
8 of the inhabitants of said county that are necessary to carry
9 out said agreement, or they may present a petition to the
10 supreme judicial court held in said county, clearly describ-
11 ing this land, and stating whether it is in fee simple or for
12 years, and the proportion claimed by said county, the names
13 of the other owners or tenants in common, and their places
14 of residence if known, and whether any or all of them are
15 unknown, and the same proceedings shall be held as pro-
16 vided in chapter ninety of the Revised Statutes for the par-
17 titution of real estate.

Sect. 17. In case such proposition is adopted and accepted
2 as hereinbefore provided, then the treasurer of Aroostook
3 county is hereby authorized to procure by loan on the faith
4 and responsibility of said county, money for the use of said
5 county to carry into effect the provisions of this act, and for

6 that purpose notes or obligations signed by said treasurer,
7 and countersigned by the chairman of the board of county
8 commissioners, shall be issued with interest bearing coupons
9 attached for the payment thereof at such times as they, the
10 said commissioners, shall deem expedient, but such loan shall
11 not exceed one per cent of the valuation of the county as
12 established by the legislature or State board of assessors in
13 nineteen hundred and five, and the proceeds of said bonds
14 together with all sums received from the sale of lands to
15 settlers and receipts from the cutting of timber or lumber,
16 collected by the commissioners, shall be held by said treas-
17 urer as a fund for carrying out the purposes of this act.
18 And said commissioners are authorized to draw warrants
19 on the treasurer of the county in such sums as may be
20 required from time to time to be paid from said fund.

Sect. 18. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 15, 1905.

Reported by Mr. IRVING from Aroostook County Delegation and
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*