

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE NO. 226

House of Representatives, Feb. 17, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Towns.

Committee on Reference.

Presented by Mr. Sanborn of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to divide the Town of Cumberland.

Be it enacted by the People of the State of Maine, as follows:

Section 1. All that part of the Town of Cumberland
2 known as Chebeague Island, Hope Island, Basket Island,
3 Clapboard Island, Bangs' Island, Goose Nest Island, Sturdi-
4 vant's Island, Sand Island, Stave Island, Ministerial Island,
5 Bates' Island, Brown Cow Island, and all other islands, or
6 parts of islands, belonging to said Town of Cumberland, is
7 hereby incorporated into a separate Town by the name of
8 Chebeague, and the Inhabitants thereof are hereby vested
9 with all the powers and privileges, and subject to the duties
10 and liabilities incident to other Towns in this State.

The several Inhabitants of said Town of Chebeague shall
12 be holden to pay the taxes which have been legally assessed
13 upon them by the Town of Cumberland. The several Col-
14 lectors of Taxes for said Town of Cumberland are hereby
15 authorized and required to collect and pay all taxes to them
16 already committed according to their respective warrants.

All moneys now in the Treasury of said Town and all sums
18 which shall hereafter be received from taxes heretofore as-
19 sessed shall be applied to the several purposes for which
20 they were raised.

Said Town of Chebeague shall be holden to pay the said
22 Town of Cumberland its due proportion of all debts and
23 liabilities of said Town, now existing upon contract, or
24 otherwise, or which may hereafter arise in consequence of
25 any suits pending against said Town, or which may here-
26 after be commenced on any cause of action which may now
27 exist against said Town, the same to be paid to the Town
28 of Cumberland when said liabilities accrue. The said pro-
29 portion to be estimated upon the valuation of the property
30 as made by the Assessors for the year nineteen hundred and
31 fourteen.

The Inhabitants of said Town shall continue to hold and
33 enjoy in common the rights and privileges hitherto belong-
34 ing to the inhabitants of Cumberland in any and all public
35 landings, cemeteries, mussel beds, flats, gravel beds, and
36 fisheries of every kind within the limits of Casco Bay.

The several school houses located upon said Chebeague

38 Island shall be and become the property of said Town of
39 Chebeague.

All persons hereafter becoming chargeable as paupers
41 shall be chargeable to that Town on whose territory they
42 last resided.

The Town of Cumberland shall at its Annual Meeting, or
44 at a special meeting to be held hereafter, elect, by ballot, two
45 Commissioners, and the Town of Chebeague shall at its first
46 meeting, or at a special meeting to be held hereafter, elect,
47 by ballot, two Commissioners, and the four Commissioners
48 so elected shall constitute a Board of Commissioners who
49 shall, as soon as may be practicable, appraise all of the real
50 and personal property which shall belong to the Town of
51 Cumberland at the time of the approval of this Act; and
52 after hearing the parties shall determine what part of said
53 real and personal property shall belong to said Town of
54 Chebeague, and what part shall belong to said Town of
55 Cumberland; and shall determine and award the sum of
56 money which shall be paid in gross or annually by either of
57 said Towns to the other for such real or personal property,
58 to equitably adjust the rights of each Town upon said
59 division.

And said Commissioners shall further ascertain all the lia-
61 bilities of said Town of Cumberland and shall determine
62 what proportion of said indebtedness shall be paid by the
63 Town of Cumberland and what proportion shall be assumed
64 and paid by said Town of Chebeague.

And said Commissioners shall hear the parties and make
66 adjustment of the rights and liabilities of said Towns in re-
67 lation to the enjoyment of the rights and privileges of said
68 Towns in the Greeley Institute, now located within said
69 Town of Cumberland, according to the provisions of the
70 will of Eliphalet Greeley.

And said Commissioners may make an award in all said
72 matters and said award shall be final, and shall convey the
73 property so awarded to each of said Towns; and all sums of
74 money so awarded shall be paid within six months from the
75 date of said award, unless otherwise determined by said
76 Commissioners. In case said Commissioners shall not unan-
77 imously agree upon an award in any of the matters herein
78 submitted to them they shall submit the matter of disagree-
79 ment to the County Commissioners of Cumberland County,
80 who shall examine the matter in relation to which the dis-
81 agreement arises, after notice to and hearing of both par-
82 ties, and shall make their award and return it to the Town
83 Clerks of said Towns, to be recorded in like manner and
84 with like effect as an award of the Commissioners.

In case either Town shall neglect or refuse to choose said
86 Commissioners at the time, or in the manner provided by
87 this Act, or in case any of said Commissioners shall refuse
88 to act, or there shall be a vacancy by death, or otherwise, in
89 either case said County Commissioners shall fill the vacancy
90 by the appointment of some proper person, or persons, re-
91 siding in the Town where the vacancy shall occur.

Any justice of the peace may call the first meeting of the
93 Town of Chebeague by posting a warrant therefor, stating
94 the purposes of the meeting, in three public and conspicuous
95 places in said Town, at least seven days before the time of
96 holding said meeting.