

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

HOUSE

NO. 240

House of Representatives, March 7, 1921.

Reported by Mr. Mason from Committee on Legal Affairs
and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT to Legalize and Make Valid the Doings of the Inhabitants of the Town of Stetson at the Annual Town Meeting Held on March Tenth, Nineteen Hundred and Nineteen, and at the Annual Town Meeting Held on March Eighth, Nineteen Hundred and Twenty, and by Adjournment on March Tenth, Nineteen Hundred and Twenty.

Emergency Preamble. Whereas an emergency exists, because it is immediately necessary for the preservation of the public peace and safety, that the acts and doings of the inhabitants of the town of Stetson at the annual town meeting held on March tenth, nineteen hundred and nineteen; at the annual town meeting held on March eighth, and by adjournment on

March tenth, nineteen hundred and twenty, be made legal and valid without delay; therefore,

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

Section 1. Acts of Stetson Town Meetings of March 2 Tenth, Nineteen Hundred and Nineteen, and of March 3 Eighth, Nineteen Hundred and Twenty, and by Adjourn- 4 ment to March Tenth, Nineteen Hundred and Twenty, Val- 5 idated. The acts and doings of the inhabitants of the town 6 of Stetson in the county of Penobscot, at the annual town 7 meeting held on the tenth day of March, nineteen hundred 8 and nineteen, and at the annual town meeting held on the 9 eighth day of March, nineteen hundred and twenty, and 10 by adjournment, on March tenth, nineteen hundred and 11 twenty, are hereby confirmed, legalized and made valid, not- 12 withstanding any defects or mistakes in calling the same; 13 and all the officers elected at both of said annual town meet- 14 ings, including the adjournment of the nineteen hundred 15 and twenty annual meeting, are hereby declared to be legal- 16 ly elected officers of the said town of Stetson.

Sect. 2. Emergency Clause. In view of the emergency 2 cited in the preamble, this act shall take effect when ap- 3 proved.

STATEMENT OF FACTS

At the annual town meeting of the inhabitants of the town of Stetson, held by adjournment from Monday, March eighth, to Wednesday, March tenth, nineteen hundred and twenty, the constable's return on the warrant calling said meeting stated that the copies posted by that officer were attested copies. The return was challenged by a voter present as in error, inasmuch as this voter claimed that the copies of the warrant posted were not attested by the constable. The constable admitted the truth of the assertion, saying that he would amend his return according to the facts; which he then and there did by striking out the word "Attested" in his return on the back of the warrant; the town clerk made up his record accordingly. It is claimed that the said town meeting and its adjournment were not legally held; that the officers elected thereat are not the legal officers of said town; that the taxes assessed by the assessors elected at said meeting cannot be collected by process of law; payment has been refused by one of the heaviest tax payers in the town on the ground of such alleged illegality; other property owners are awaiting the outcome of this refusal to pay.

An examination of the clerk's record of the annual town meeting held March tenth, nineteen hundred and nineteen, shows that the word "Attested" was left out in the officer's return on the warrant for that meeting.

It is apparent that future town meetings may depend upon the legality of these two last annual town meetings, including that of nineteen hundred and twenty by adjournment. It will be necessary for warrant to issue for the annual town meeting of nineteen hundred and twenty-one within a short time; therefore, the necessity for the emergency clause to be used in the accompanying act.