

# MAINE STATE LEGISLATURE

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**PRIVATE AND SPECIAL**

**ACTS**

OF THE

**STATE OF MAINE,**

PASSED BY THE

**ELEVENTH LEGISLATURE,**

**At its Session commencing January 5th, 1831.**

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PUBLISHED AGREEABLY TO THE RESOLVE OF 28TH JUNE, 1820.

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**Portland.**

TODD AND HOLDEN.....PRINTERS TO THE STATE.

1831.

Friday on each week, to sunrise on Monday in the succeeding week, be, and hereby is, repealed, respecting so much of said Penobscot Bay as <sup>To what extent.</sup> lies to the Southward of the Northerly line of Jonathan Perkin's farm, in the town of Castine, on the Eastern side of said Bay, and the South end of Brigadier's Island, so called, and in lieu thereof such passage-ways shall be kept open and clear from sunset on Saturday in each week to sunrise on Monday in the succeeding week.

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## CHAPTER 164.

AN ACT to divide the town of Berwick, and to incorporate the Easterly part thereof into a town by the name of North Berwick.

Approved March 22, 1831.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That all that part of the town of Berwick, in the County of York, lying Easterly of the following line, viz: Beginning at the place where Warren's brook intersects the dividing line between Berwick and South Berwick; thence running North Westerly up the centre of the stream of said brook to Gubtail's Mill Pond; thence up the centre of said Mill Pond, twenty rods North Westerly of Spencer's brook bridge, so called; thence the nearest course to a range line, which is the second range line Easterly of the *interest* line, so called; thence North Westerly on said range line to Lebanon town line, with the inhabitants thereon, be, and the same hereby is incorporated into a separate town by the name of North Berwick, and vested with all the powers, privileges and immunities, and subject to all the duties and requisitions of other incorporated towns, agreeably to the Constitution and laws of this State.

<sup>Part incorporated described.</sup>

<sup>Powers, privileges, &c.</sup>

Shall be held  
to pay arrears  
of all taxes  
now due.

SECT. 2. *Be it further enacted,* That the inhabitants of the said town of North Berwick, shall be holden to pay the arrears of all taxes, which have been legally assessed on them, together with their proportion of all assessments which have been voted by, and debts due from said town of Berwick, at the time this Act may take effect, and their proportion of all State and County taxes; said proportions to be ascertained by the last valuation of the respective towns; and in case the funds of said Berwick, when the same shall be collected, shall be more than sufficient to pay the debts of said Berwick, then North Berwick shall be entitled to receive of said Berwick, their proportion thereof according to the last valuation.

Paupers to be  
equally dis-  
tributed.

SECT. 3. *Be it further enacted,* That all persons belonging to said town of Berwick who shall be chargeable to said town, as paupers, when this Act takes effect, shall be distributed to said towns of Berwick and North Berwick, as equal as practicable, in proportion to the last valuation; regard being had to the expense of such paupers support; and each town supporting the paupers thus falling to its share, in its own way and manner; and all persons who shall afterwards become chargeable, shall be considered as having their settlement in said town of Berwick or North Berwick respectively, according as their settlement may have been gained on the territory of the one or the other at the time this Act may take effect, and in future shall be chargeable to such town only.

SECT. 4. *Be it further enacted,* That the town stock of powder, balls, flints and camp equipage on hand at the time aforesaid, shall be divided between said towns in proportion to the last valuation of the property in said towns.

School money

SECT. 5. *Be it further enacted,* That the town of Berwick shall pay to the several school districts, in the town of North Berwick, every and all balances of school money which may be

due to such school districts, at the time this Act takes effect.

SECT. 6. *Be it further enacted,* That in case all the property, debts and taxes belonging to, and due, to the town of Berwick, shall be insufficient to pay the debts due from said town, then the town of North Berwick shall contribute towards paying such deficiency, in proportion to the last valuation of said towns.

SECT. 7. *Be it further enacted,* That in all cases where the dividing line of said towns shall divide any homestead farm, the whole taxes on said farm shall be assessed and collected in that town, in which the dwelling house of such divided farm may fall, and the residue of such divided farm shall not be taxed in the town where the dwelling house belonging to such farm is not situated.

SECT. 8. *Be it further enacted,* That the public and private Acts and Resolves of the Commonwealth of Massachusetts and State of Maine, and the Reports of cases argued and determined in said States, belonging to the town of Berwick, shall be, and remain the sole property of said town of Berwick; and the said town of Berwick shall keep the records, public papers and documents, belonging to said town at the time aforesaid: *Provided however,* That the inhabitants of said town of North Berwick shall at all times have free access to examine the same, and to make copies or extracts of said records free from expense.

SECT. 9. *Be it further enacted,* That the town of North Berwick shall be holden to pay their just proportion of all fines and costs that are, or shall be imposed upon said town of Berwick, upon any complaint or indictment for bad roads now pending; the same to be proportioned according to the last valuation of said town.

SECT. 10. *Be it further enacted,* That any Justice of the Peace within said County, is

Taxes.

Farms to be taxed in the town in which the dwelling house stands.

Acts, Resolves and Reports to remain the property of Berwick.

Proviso.

Fines &amp; costs.

First meeting.

hereby empowered to issue his warrant to some one inhabitant of said town hereby incorporated, directing him to notify the inhabitants thereof, to meet at such time and place, as he shall appoint, to choose such officers as towns are empowered to choose at their annual meetings.

Berwick and North Berwick shall elect one Representative.

SECT. 11. *Be it further enacted*, That said towns of Berwick and North Berwick shall constitute a district to elect one Representative, to the Legislature of this State, until otherwise provided by law.

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## CHAPTER 165.

AN ACT to set off James Meader from Westbrook to Falmouth.

Approved March 22, 1831.

Farm set off.

Proviso.

*BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That James Meader, with his estate, consisting of a farm whereon he now lives within the boundary line of the town of Westbrook, in the County of Cumberland, be, and hereby is set off from said town of Westbrook, and annexed to the town of Falmouth, in the County aforesaid: *Provided*, That said Meader shall be held to pay all taxes assessed upon him in said Westbrook, prior to the passing of this Act.

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## CHAPTER 166.

AN ACT to set off the land of John Gowen and others from Acton to Shapleigh.

Approved March 22, 1831.

*BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That from and after the passing of this Act, all that