

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1852.

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Published by the Secretary of State, agreeably to resolves of June 28, 1820, February  
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1852.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1852.

Chapter 549.

CHAP. 549.

An act to incorporate the town of Farmingdale.

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

SECT. 1. The territory with the inhabitants of those parts of the cities of Gardiner and Hallowell and the town of West Gardiner, situate and being within the following boundaries, viz: commencing at the Kennebec river on the south line of land of Nathaniel Kimball, at a point east-southeast from the southeast corner of the acre lot numbered eighteen, north of the Cobbossee Contee river; thence on the south line of said Kimball's land to Main street; thence by said road to the southeast corner of the acre lot numbered seventeen; thence by the south line of lot numbered seventeen to the east line of lot one hundred and seventy-four; thence by the easterly line of lot numbered one hundred and seventy-four to the southeast corner of land of John Morgan; thence by the southerly line of said Morgan's land and the lots on North street about north sixty-five degrees west to the southwest corner of land of James Leard, junior; thence north about north-northeast on said Leard's westerly line to North street; thence by the south line of North street to the northeast corner of land of said Kimball; thence south-southwest on the easterly line of said Kimball's land to land of the heirs of Jeremiah Wakefield; thence west-northwest on the southerly line of said Kimball's land, the southerly line of the Purrington lot, so called, and the lots intervening, following the same course to the southeast corner of land late of Matilda Collins, and by the southerly line thereof to the eastern line of West Gardiner; thence north-northeast on the westerly line of said Matilda Collins' land to the southeast corner of John McCauseland's farm; thence westerly by the southerly line of said McCauseland's land and on the line dividing the lots lying on the McCauseland road and the lots lying on the Litchfield road to the easterly line of lots fronting on the road leading from said McCauseland road to the Litchfield road near Simon Nudd's, and thence north-northeast on the easterly line of said lots to land formerly owned by John Warren and now owned by Nathaniel M. Whitmore; thence west-northwest on the south line of said land to the east line of lot numbered seventy-nine; thence north-northeast on the easterly line of said lot and by the easterly line of Thomas M. Clark's land to the south line of the city of Hallowell; thence westerly

CHAP. 549. by the southerly line of said city to the easterly line of the town of Kennebec; thence northerly by the easterly line of the town of Kennebec to the center line of the Vaughan tract; thence easterly by the center line aforesaid to the northeast corner of land of John Graves; thence southerly by the easterly line of said lot to the south line of the Vaughan tract; thence easterly on the south line of said tract to the westerly line of lot represented on Bullen's plan of the west part of Hallowell as belonging to Major Carr and Esar Smith; thence southerly by the westerly line of said lot to the southwest corner thereof; thence northeasterly on the northerly line of land of James Atkins to the brook leading between the tan yard and wool house near Loudon Hill, so called, and by said brook to the river road leading from Gardiner to Augusta; thence by the westerly line of said road to the southeasterly line of the Pillsbury lot to the south line of the Vaughan tract; thence easterly by said south line to the Kennebec river; thence southerly by the Kennebec river to the bounds first mentioned, be and the same hereby is incorporated into a town by the name of Farmingdale, and vested with all the powers and privileges, and subject to all the duties and liabilities of the other towns in this state.

Rights and restrictions.

Property regulated.

Commissioners to appraise, appointed.

Sums due, how divided, &c.

SECT. 2. The cities of Gardiner and Hallowell, and the town of West Gardiner, shall retain, own and possess, respectively, all the property which at the date of this act belongs to the said respective cities and town, and John Potter of Augusta, esquire, Joel Small of Wales, esquire, and Samuel Clark of Winthrop, esquire, shall be a committee to appraise at the true value of the said property of the said cities and town respectively; and in case the debts and liabilities of said cities and town respectively, shall exceed according to the appraisal of said committee, the value of the property by the said cities and town respectively, retained, owned and possessed as aforesaid, then the said committee shall determine upon just and equitable principles, the proportion of the excess of said indebtedness and liabilities of the said several cities and town, that shall be paid to said cities and town respectively, by the inhabitants of the town of Farmingdale; and the said committee shall be authorized and required to apportion the sum or sums, if any, which they may find due to the said cities and town, respectively, to and among the inhabitants of Farmingdale, according to the share or part thereof, which belongs to the inhabitants who are hereby taken from the cities of Gardiner

and Hallowell, and the town of West Gardiner, respectively; that is to say, what may be due to the city of Gardiner, if any thing, to that part of the inhabitants of Farmingdale which are taken hereby from said city, and in like manner in respect to what they may find due to the city of Hallowell, to the inhabitants of said Farmingdale, who are hereby taken from said city, and in like manner in reference to the inhabitants of said Farmingdale, who are hereby taken from West Gardiner; and the assessors of the town of Farmingdale are authorized and required to assess the amount which shall be apportioned by said committee, to the several portions of said inhabitants of Farmingdale as aforesaid, upon the said several portions of said inhabitants of Farmingdale and add the same to the taxes of said several portions of said inhabitants, which the said inhabitants severally shall be bound to pay to the several cities and town aforesaid. The compensation to said committee shall be charged to said town of Farmingdale.

Assessors of Farmingdale authorized to assess the amount apportioned.

Compensation of committee.

SECT. 3. The inhabitants of the town of Farmingdale shall be holden to pay all the taxes, which have been legally assessed upon them by the respective cities of Gardiner and Hallowell, and the town of West Gardiner, prior to the date of this act; and the several collectors of taxes of the respective cities and town aforesaid, are hereby authorized to collect and pay over all taxes already committed or may be committed to the said collectors, according to their several warrants.

Taxes to be paid.

Collectors shall collect same.

SECT. 4. It shall be the duty of the mayor, aldermen and common council, of the several cities, and selectmen of the town aforesaid, to make returns to the secretary of state, by the first day of February next, of the proportion of the state valuation of their respective cities and town hereby set off to said Farmingdale, and the state and county taxes which the said several cities and town are required to pay, respectively, the present year, shall be assessed upon them respectively as usual; and the said committee shall ascertain the proportion which the inhabitants of the several portions of said Farmingdale, taken from said cities and town, should pay to their respective cities and town, and consider said taxes as debts or liabilities of said town of Farmingdale to be paid by the several portions of said inhabitants of Farmingdale aforesaid; and the said town of Farmingdale shall be held to pay said taxes to the respective cities and town aforesaid, within the present year, and be liable to suit therefor in case of neglect or refusal. All paupers now supported or which may hereafter become charge-

Returns to secretary of state to be made.

County taxes, how assessed.

Arrears of taxes, how paid.

Paupers, how supported.

CHAP. 549. able by the city of Gardiner, the city of Hallowell, or the town of West Gardiner and chargeable to said cities or town by reason of a settlement gained in the territory included in the town of Farmingdale, shall be hereafter supported by and chargeable to said town of Farmingdale.

Cities may re-organize their wards.

SECT. 5. The said cities of Gardiner and Hallowell are authorized hereby, to make such changes in the number and organization of the wards of their respective cities as this act may render necessary.

First meeting.

SECT. 6. Any justice of the peace in the county of Kennebec may issue his warrant to any legal voter in said town of Farmingdale, directing him to notify the inhabitants thereof to meet at a time and place specified in said warrant for the choice of town officers and to transact such business as the towns are authorized to do at their annual and other meetings.

Representative to legislature, classification.

SECT. 7. The inhabitants of Farmingdale shall be entitled to vote in the choice of a representative to the legislature of the state in the respective cities and town to which they severally belonged prior to the passage of this act; unless and until the legislature otherwise order; and the mayor, aldermen and common council shall determine in what wards of their respective cities they shall so vote, and the selectmen of the town of Farmingdale shall furnish the authorities of the several cities and the selectmen of West Gardiner with a correct list of voters respectively, for the purpose aforesaid, seven days prior to the meetings held in said cities and town for the choice of representative.

List of voters to be furnished.

Provisions respecting city loan.

SECT. 8. That part of the city of Hallowell and that part of the city of Gardiner, which are hereby incorporated into Farmingdale, shall be liable to contribute respectively to the said respective cities towards any payment said cities may respectively be compelled to pay on account of the loan of the credit of the said several cities hitherto made to the Kennebec and Portland Railroad corporation, in proportion to the valuation of said respective parts, having their proportional benefit of all securities which said cities may possess; and in case said Farmingdale shall neglect and refuse to pay their just proportion to said cities respectively, an action for money had and received shall lie against Farmingdale in favor of said cities respectively within sixty days after demand, to recover the same and the assessors of Farmingdale shall apportion and assess the amount so paid to the several portions of said town and add the same to the taxes thereof as is provided in the second section of this act.

In case of neglect, &c., liability of.

SECT. 9. This act shall take effect from and after its approval by the governor. CHAP. 550.

[Approved April 3, 1852.]

Chapter 550.

An act for the preservation of trout in Umbagog and other lakes.

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

SECT. 1. It shall not be lawful to take trout from the waters of the several lakes in the county of Oxford including Umbagog and the Rangely lakes, and those lying between or connected therewith, or any of their tributary streams, between the twentieth of September and the first day of December in any year, except with a single baited hook. Trout, the taking of prohibited.

SECT. 2. Any person who shall take trout from said waters between the times herein named with seine, spear or grapnel or in any other mode than named in the first section of this act, shall forfeit the sum of twenty dollars, to be recovered in an action of debt before any justice of the peace within and for said county of Oxford, in the name and for the use of any person who may sue therefor. Penalty.
How recovered.

[Approved April 2, 1852.]

Chapter 551.

An act to establish a free bridge from Barter's Island to the main land in the town of Boothbay.

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

SECT. 1. Thomas Hodgdon, Henry A. Barter, Rufus Hilton, Samuel Lewis, John Reed, second, Timothy Hodgdon and Tyler Hodgdon and their associates, be authorized to erect and maintain a free bridge across the east branch of the Sheepscot river in the town of Boothbay, county of Lincoln, commencing near Samuel Lewis' point, so called, on the east side of Barter's island to Hodgdon's island, so called; thence from said Hodgdon's island to John Reed, second's, shore on the main land, or from some other point on the east side of said Barter's island Free bridge may be erected.
Location.