

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Seventieth Legislature.

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SENATE.

No. 127

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## STATE OF MAINE.

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

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AN ACT to incorporate the East Pittston Village Corporation.

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

Section 1. The territory embraced within the following  
2 bounds, viz: Beginning at the northwest corner of the ceme-  
3 tery lot nearly opposite the house of Myrick Moody; thence  
4 a southwesterly course crossing the highway and the land of  
5 M. J. Donnell to the northwest corner of land of Laura J.  
6 Call; thence a southwesterly course in line of said Call's land,  
7 to the northwest corner of land of C. B. Moody; thence  
8 a southwesterly course in line of said Moody's land to land  
9 of Leonard Moody; thence a southwesterly course across  
10 land of said Leonard Moody to the north line of land owned

11 by L. B. Pulsifer; thence an easterly course on line of said  
12 Pulsifer's land to Eastern river; thence down said river to  
13 southwest corner of land of H. H. Cary; thence an easterly  
14 course on south bound of land of H. H. Cary, Henry Knight,  
15 John H. Bailey, and O. W. Nash; and thence continuing  
16 said easterly course to Whitefield town line; thence a north-  
17 easterly course in line of said Whitefield town line to the  
18 northeast bounds of James Farrell's land; thence a north-  
19 westerly course in line of said Farrell's north bounds to his  
20 northwest corner bound; thence a southerly course in line  
21 of said Farrell's northwest bounds to his southwest corner  
22 bounds; thence an easterly course on said Farrell's south  
23 bounds to the Eastern river so-called; thence down the course  
24 of said river to the southeast corner of land owned by Avis  
25 Carter; thence a northwesterly course in line of said Carter's  
26 south bounds to road leading from East Pittston to North  
27 Pittston; thence a southerly course in line of said road to  
28 bounds begun at; together with the inhabitants thereon, be,  
29 and the same is hereby created a body politic and corporate  
30 by the name of East Pittston Village Corporation, with all  
31 the rights and privileges granted by the laws of the state to  
32 similar corporations.

Sect. 2. Said corporation is hereby authorized at any legal  
2 meeting called for the purpose, to raise by assessment or by  
3 loan, as hereinafter provided, such sums of money as may be  
4 deemed necessary and sufficient for organizing and maintain-  
5 ing within the limits of said corporation, an efficient fire de-  
6 partment; for building, renting, purchasing, repairing and  
7 maintaining engine houses, hook and ladder carriage houses,  
8 and lockups or police stations; for purchasing, repairing and  
9 maintaining fire engines, hose, ladders, buckets, machines  
10 and other apparatus for the extinguishment and prevention  
11 of fire; for the location, construction and repair of reservoirs

12 and aqueducts; for the procuring of water, and pumps, hy-  
13 drants and machinery for handling and distributing the same;  
14 for building, repairing and maintaining sidewalks and sew-  
15 ers; for setting out, maintaining and caring for shade trees;  
16 for maintaining and improving the common lands; for the  
17 purchasing and renting of real estate for any of the above  
18 purposes; to pay for the services of one or more police offi-  
19 cers, night watchmen or any other officers to whom the said  
20 corporation may vote a salary or other compensation; to erect  
21 and maintain lamp posts and lamps, and to provide for lighting  
22 the streets by lamps or otherwise; for school purposes. Said  
23 corporation may receive, hold, and manage devises, bequests  
24 and gifts for any of the above purposes, and for the purpose  
25 of public improvements within said territory.

Sect. 3. Money raised by said corporation for the purposes  
2 aforesaid; also to pay any loan obtained for any of the pur-  
3 poses set forth in section two; also for any lawful purpose;  
4 shall be assessed upon the property and polls, within the ter-  
5 ritory aforesaid, by its assessors, in the same manner in which  
6 the town taxes are assessed. The assessors may copy the  
7 last valuation of said property made by the assessors of the  
8 town of Pittston, and assess the tax thereon; or if the cor-  
9 poration shall so direct, may correct said valuations, or make  
10 a new valuation thereof according to the principles estab-  
11 lished by the last state tax, and assess the tax on that valu-  
12 ation, and may make abatements on taxes assessed in the  
13 same manner as assessors of towns may do.

Sect. 4. Upon a certificate being filed with the assessors of  
2 the corporation by the clerk thereof, showing the amount of  
3 money lawfully raised at any meeting, they shall proceed as  
4 soon as may be to assess the same upon the polls and estates  
5 of the persons residing, or embraced within the limits of the  
6 territory aforesaid, and upon the estates therein of non-resi-

7 dent proprietors, and the assessment so made as well as the  
8 assessment of money to repay any loan of said corporation,  
9 with interest thereon, shall be certified and delivered to the  
10 collector of said corporation, who shall collect the same as  
11 town taxes are collected, and pay the same within such time  
12 as his warrant shall prescribe, to the corporation treasurer ;  
13 and said collector shall have the same power and authority  
14 in collecting the taxes so assessed as a constable, or town  
15 collector, has by law for collecting town and county taxes,  
16 and shall enforce payment of the same in the same manner  
17 as a town constable, or town collector, is required to do by  
18 law, and the said corporation shall have the same powers to  
19 direct the mode of collecting taxes as towns have in the col-  
20 lection thereof.

Sect. 5. All moneys received by said corporation from tax-  
2 ation or loan, or from any other source, shall be paid to the  
3 treasurer, and he shall receive the same and pay it out on the  
4 order of the assessors, for legitimate expenses of the corpo-  
5 ration, and other purposes for which it may be obtained, and  
6 shall keep regular accounts of all his official transactions, and  
7 exhibit the same to the assessors when requested, and make  
8 report to each meeting of the corporation at which officers  
9 are chosen.

Sect. 6. Said corporation may issue its bonds for money  
2 obtained under the provisions of section two of this act, or  
3 may issue its notes therefor ; such bonds or notes shall be  
4 signed by the assessors and treasurer, and shall be upon such  
5 time, and bear such rate of interest as said corporation may  
6 find expedient.

Sect. 7. Said corporation at any legal meeting may adopt  
2 a code of by-laws, not repugnant to the laws of this state, nor  
3 to its charter, for the efficient management of its affairs.

Sect. 8. The officers of said corporation shall consist of a  
2 clerk, treasurer, collector, three assessors, and such other offi-  
3 cers as its by-laws may provide for, and said officers shall hold  
4 office for one year from the date of their election, or until their  
5 successors are chosen and qualified, and shall severally have  
6 all the powers and authority within the limits of said corpo-  
7 ration that similar officers chosen by towns now have or may  
8 have; said officers shall be chosen by ballot, the first election  
9 to be at the meeting of the legal voters of said corporation at  
10 which this charter is accepted; and the annual election of  
11 officers shall be in the month of April at a place and time  
12 to be designated by the by-laws of said corporation. Said  
13 officers shall be sworn to the faithful performance of their  
14 respective duties.

Sect. 9. The clerk shall record all the doings and proceed-  
2 ings at the meeting of the corporation.

Sect. 10. The collector and treasurer shall each give bond  
2 with such sureties as the assessors of the corporation may  
3 approve, in a sum not less than double the amount of the  
4 taxes raised as aforesaid, to the inhabitants of the corpo-  
5 ration, for the faithful performance of their duties, and said  
6 bonds shall be approved in writing by the assessors, and  
7 thereafter deposited and retained by the clerk.

Sect. 11. The assessors of said corporation are hereby given  
2 the exclusive supervision and control of maintaining and re-  
3 pairing the highways and bridges within the limits of said  
4 corporation; and for that purpose the same rights and powers  
5 are conferred upon said assessors as are now, or may here-  
6 after be, conferred by law upon road commissioners and se-  
7 lectmen of towns in relation to maintaining and repairing  
8 ways and bridges. The inhabitants of said corporation shall  
9 be responsible for all damages resulting from defects in the  
10 highways and bridges within the limits of said corporation,

11 and shall reimburse the town of Pittston for any and all dam-  
12 ages and costs recovered against said town for or on account  
13 of defects in said highways and bridges.

Sect. 12. The town treasurer of the town of Pittston shall  
2 pay to the treasurer of said corporation one-half of such pro-  
3 portion of all moneys voted for highways and bridges at any  
4 and all town meetings of said town by the first day of Sep-  
5 tember, and the remaining one-half of such proportion by the  
6 first day of the following January of each year, as the valu-  
7 ation of the property and estates within said corporation, as  
8 fixed by the assessors of said town for the purposes of tax-  
9 ation, bears to the valuation of the property and estates with-  
10 in said town of Pittston, including said corporation; and said  
11 money shall be expended upon the highways and bridges  
12 within the limits of said corporation by and under the super-  
13 vision of said corporation assessors. Said corporation may  
14 raise money for the maintaining and repairing ways and  
15 bridges within the limits of said corporation, in addition to  
16 the foregoing, and direct the same to be assessed as other  
17 taxes are assessed in said corporation, and the same shall be  
18 expended by and under the supervision of the assessors of  
19 said corporation.

Sect. 13. Whenever said town is authorized and votes to  
2 raise and apply any amount of labor and materials upon the  
3 highways and bridges in said town, the assessors of said  
4 town shall, as soon as may be thereafter, certify to the assess-  
5 ors of said corporation, the amount of said labor and amount  
6 of said materials voted and raised by said town, which said  
7 assessors of said corporation may apply and use in repairing  
8 and maintaining the ways and bridges within the limits of  
9 said corporation; which amounts shall be such proportion of  
10 the total amount of labor and total amount of materials, as  
11 the valuation of said corporation as aforesaid bears to the

12 valuation of said town as aforesaid; and the assessors of said  
13 corporation are hereby authorized to expend and apply in  
14 maintaining and repairing the highways and bridges within  
15 said corporation limits such amounts in labor and materials  
16 as are certified to them as aforesaid. Every person perform-  
17 ing or furnishing labor, or furnishing materials for maintain-  
18 ing or repairing highways and bridges within said corpora-  
19 tion limits, under the order or direction of said corporation  
20 assessors shall, as soon thereafter as may be, render a sworn  
21 statement thereof in detail, to said corporation assessors, who  
22 shall proceed to examine the same, and if found correct, shall  
23 enter the items thereof in a book to be kept for that purpose,  
24 and shall also certify in writing signed by said assessors on  
25 said statement, that the same is correct, and allowed by them.  
26 Said statement when so certified shall be received by the  
27 treasurer of said town in payment of taxes assessed to the  
28 holder thereof, but said statement shall not exceed in the  
29 aggregate the amount of labor and material certified to said  
30 corporation assessors by said town assessors as aforesaid.

Sect. 14. This charter may be accepted at any time within  
2 three years from its approval by the governor, and its rejec-  
3 tion in any calendar year shall not prevent its acceptance in  
4 any later calendar year during the time aforesaid. C. C. Libby  
5 or H. H. Cary, or either of them, may call all meetings  
6 of the inhabitants of said territory previous to the acceptance  
7 of this charter, by posting a notice, stating the time, place and  
8 objects of said meeting, in at least three public and conspicu-  
9 ous places in said territory, at least seven days before the  
10 time of holding said meeting, and all subsequent meetings  
11 shall be called and notified by the assessors of said corpora-  
12 tion as town meetings are called and notified, unless said  
13 corporation shall otherwise define the manner of calling and  
14 notifying its meetings.



Sect. 15. Every person residing within the limits of said corporation, qualified to vote for governor, senators and representatives, shall be a legal voter at any meeting of said corporation.

Sect. 16. At any meeting prescribed in section fourteen of this act, the legal voters shall elect a moderator and clerk, both of whom shall be sworn by some justice of the peace, for the faithful discharge of their duties, and thereupon said meeting shall proceed by ballot to vote on the question of accepting this charter, and if a majority of all the legal voters present and voting at said meeting, shall vote in favor of its acceptance, then it shall take effect, and said corporation may immediately after said vote is declared, proceed to the adoption of by-laws and the election of officers as provided in sections seven and eight of this act.

Sect. 17. This act shall take effect when approved by the governor, but shall not bind the inhabitants of the territory aforesaid until its acceptance by them as hereinbefore provided.

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## STATE OF MAINE.

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IN SENATE, March 13, 1901.

Reported by Mr. VIRGIN from Committee on the Judiciary, and laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*