

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Seventy-first Legislature.

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SENATE.

No. 45

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## STATE OF MAINE.

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

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AN ACT to incorporate the Squirrel Island 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 limits of  
2 Squirrel Island in the town of Southport, in the county of  
3 Lincoln, together with the inhabitants thereon and certain  
4 owners of real estate thereon as hereinafter specified is hereby  
5 created a body politic and corporate by the name of the  
6 Squirrel Island Village Corporation.

Sect. 2. Said corporation is hereby authorized and vested  
2 with the power at any legal meeting called for the purpose  
3 to raise money for the following purposes: To create and  
4 maintain a fire department with all the necessary equipment,

5 appliances and apparatus for the prevention and extinguish-  
6 ment of fires ; to build, repair and maintain roads, streets and  
7 ways, sidewalks, sewers and other sanitary works, including  
8 the collection and removal of offal and garbage ; to care for  
9 and beautify that portion of the island which has been or  
10 may hereafter be reserved for and dedicated to public uses  
11 to be enjoyed in common by all the owners of lots on the  
12 island and to that end to build roads and walks upon and  
13 through said public lands and to plant and care for trees in  
14 the roads and streets and upon said public lands ; to build,  
15 repair and maintain public wharves and landings ; to establish  
16 and maintain police and night watch ; to procure water for  
17 fire, domestic and other purposes and to produce or procure  
18 light for public use and for the use of the inhabitants of the  
19 island, and for such purposes to contract with any individual,  
20 firm or corporation to furnish such water or light for either  
21 or both of the purposes named and to establish reasonable  
22 rates to be paid by the inhabitants of the island using such  
23 water or light for domestic purposes ; to construct, maintain  
24 and operate telephone or telegraph lines or to aid in such  
25 construction, maintenance and operation and to that end and  
26 for that purpose to contract with any corporation, firm or  
27 individual therefor ; and to defray any and all other necessary  
28 or proper corporate charges.

Sect. 3. The town of Southport is hereby relieved from  
2 any and all duty to build, repair or maintain roads, streets  
3 or ways upon Squirrel Island or to build school houses or  
4 maintain schools thereon or to perform any of the duties  
5 for which said corporation is authorized by section 2 of this  
6 act to raise money, and said town shall not be liable for  
7 defects in streets, ways or roads on said island nor for failure  
8 to perform any duty from which it is relieved by this act,  
9 but said corporation shall assume all of said duties and be  
10 liable for said defects in streets, ways and roads and for

11 failure to perform the duties assumed as the town of South-  
12 port would have been liable except for this act, which liability  
13 may be enforced under the same conditions, in the same man-  
14 ner and with the same remedies as are provided by law in  
15 relation to towns.

Sect. 4. Said corporation and the overseers thereof shall  
2 have the same power and duties in laying out, discontinuing  
3 and altering town ways on Squirrel Island which the town  
4 of Southport and the selectmen now have to be exercised  
5 and performed under the same conditions and limitations and  
6 in the same manner that they are now exercised and per-  
7 formed by said town and its selectmen.

Sect. 5. The town of Southport shall annually pay over  
2 to the treasurer of said corporation out of the taxes collected  
3 from the inhabitants and estates on Squirrel Island a sum  
4 equal to sixty per centum of all the town taxes, exclusive  
5 of the State and county tax, collected from said inhabitants  
6 and estates.

Sect. 6. All moneys which shall be raised for the purposes  
2 named in section 2 of this act or for any other purpose, for  
3 which the corporation may lawfully raise money, shall be  
4 assessed upon the taxable polls and estates embraced within  
5 the limits of the corporation by the assessors of the town of  
6 Southport in the same manner as is provided by law for the  
7 assessment of town and county taxes. For the purposes of  
8 taxation under this act the person or persons entitled to the  
9 use or occupation of any lot of land on said island shall be  
10 deemed the owner thereof and be taxed for said lot and the  
11 improvements, if any, thereon.

Sect. 7. The officers of said corporation shall be a clerk,  
2 who shall be a resident of this State, a treasurer and five over-  
3 seers, who shall be chosen by ballot and such other officers  
4 as the by-laws of said corporation may require. Said corpo-  
5 ration is empowered to adopt at any legal meeting called for

6 that purpose a code of by-laws for the government of the  
7 same and for the proper management of its prudential affairs  
8 and other purposes connected therewith, provided said by-  
9 laws are not repugnant to the laws of the State. Such code  
10 of by-laws may be altered or amended at any legal meeting  
11 of the corporation in the call for which notice of the proposed  
12 change has been given. The officers aforesaid shall be sworn  
13 before the clerk or a justice of the peace and the treasurer  
14 shall give bond to said corporation in such sum as the over-  
15 seers may direct, which bond shall be approved by the over-  
16 seers and clerk.

Sect. 8. Any person who is a legal voter in said corpo-  
2 ration may be elected or appointed to any office therein, but  
3 shall cease to hold said office whenever he ceases to be such  
4 legal voter.

Sect. 9. Said overseers shall be the general municipal  
2 officers of said corporation and shall have general charge of  
3 its affairs and of the expenditure of all money therein except  
4 so far as the same may be committed to other officers or  
5 persons.

Sect. 10. Upon a certificate being filed with the assessors  
2 of the town of Southport by the clerk of this corporation of  
3 the amount of money voted to be raised at any meeting for  
4 any of the purposes aforesaid, it shall be the duty of said  
5 assessors or their successors in office, at the time of the next  
6 annual assessment of town and county taxes in said town  
7 of Southport to assess the total amounts certified by the clerk  
8 of this corporation upon the polls and estates of persons  
9 residing within the limits of said corporation and upon the  
10 estates of non-resident proprietors thereof and to certify and  
11 deliver the lists of the assessments so made to the collector  
12 of the town of Southport, whose duty it shall be to collect  
13 the same in like manner as county and town taxes are by

14 law collected and said collector shall pay over all moneys  
15 collected by him to the treasurer of said corporation when-  
16 ever the overseers shall so direct. It shall be the duty of  
17 the treasurer of said corporation to receive all moneys belong-  
18 ing to the corporation and to pay it out only upon the written  
19 order or direction of the overseers and to keep a regular  
20 account of all moneys received and paid out and to exhibit  
21 the same to the overseers whenever requested, and said town  
22 of Southport shall have the same power to direct the mode  
23 of collecting said taxes that it has in the collection of the  
24 town taxes and said collector shall have the same rights and  
25 powers to recover any taxes committed to him under the pro-  
26 visions of this act by suit that he has for the collection of  
27 town taxes committed to him and the town of Southport  
28 shall have the same right to recover taxes assessed under  
29 this act by suit that it has to recover town taxes assessed  
30 therein. The collector of Southport shall be entitled to  
31 receive the same percentage for the collection of taxes  
32 assessed under this act and the same fees in connection with  
33 the collection thereof which he receives for the collection of  
34 the town taxes.

Sect. 11. All persons residing within the limits of said  
2 corporation, who would be legal voters in the town of South-  
3 port and every person of lawful age who owns one or more  
4 shares of stock of the Squirrel Island Association and is in  
5 possession of one or more lots of land on said island by virtue  
6 of the ownership of said stock shall be legal voters at any  
7 meeting of said corporation at which they are present.

The overseers of said corporation shall determine who are  
9 the legal voters at any meeting and shall prepare a list of  
10 said voters at least twenty-four hours before every meeting,  
11 which said list they may amend or correct at any time before  
12 said meeting or during its progress. The vote upon any  
13 proposition at any meeting shall be taken and checked by

14 this list upon the demand of five legal voters ; provided, how-  
15 ever, that every person who by virtue of a joint ownership  
16 of himself and some other person or persons of a share of  
17 said stock and by agreement with the other joint owners, is  
18 in possession of a certain aliquot part of a lot of land on said  
19 island upon which he has a dwelling house owned and con-  
20 trolled by himself exclusively, shall be deemed a legal voter  
21 at any meeting of the corporation at which he is present and  
22 provided further that the majority in interest of the joint  
23 owners of any share of stock may designate in writing one  
24 of such owners to represent such share who shall be a legal  
25 voter at any meeting of the corporation at which he is present,  
26 but no person shall be entitled to more than one vote in any  
27 meeting either for himself or as representing the joint owners  
28 of any share of stock.

Sect. 12. The first election of officers shall be at the meet-  
2 ing at which this charter is accepted. Said officers shall hold  
3 their respective offices until the next annual meeting of the  
4 corporation, at which said meeting officers shall be elected  
5 and thereafterwards at each annual meeting, but in any event  
6 all officers duly elected shall hold office until their successors  
7 are elected and duly qualified. The annual meeting of said  
8 corporation shall be held on the last Saturday of July in each  
9 year.

Sect. 13. This charter may be accepted at any time within  
2 five years from its approval by the Governor, but only one  
3 meeting to vote thereon shall be called in any one calendar  
4 year. Albert H. Davenport, Martin V. B. Chase, Josiah S.  
5 Maxcy and Edward W. Hall, or either of them, may call  
6 all meetings of the corporation previous to the acceptance  
7 of the charter and the election of officers, and notify the per-  
8 sons entitled to vote therein to meet at some suitable time  
9 and place, on said Squirrel Island, by posting of notices in  
10 two public places on said island seven days at least before

11 the time of holding said meeting; all subsequent meetings  
12 shall be called and notified by the overseers as town meetings  
13 are called and notified by the selectmen; either of the above  
14 named persons are authorized to preside at any meeting  
15 previous to the acceptance of the charter until the meeting  
16 is organized and until a moderator shall have been chosen  
17 by ballot and sworn: at all meetings of the corporation a  
18 moderator shall be chosen in the manner, and with the same  
19 power as in town meetings.

Sect. 14. The Squirrel Island Association is hereby author-  
2 ized to sell, convey, lease or otherwise dispose of any and all  
3 real estate or interests therein which it now has to the Squirrel  
4 Island Village Corporation and said latter corporation is  
5 hereby authorized to purchase, take title to, lease or other-  
6 wise acquire said real estate or interests therein and to hold,  
7 manage and control the same for the benefit of said corpo-  
8 ration and the members thereof and for the purpose of  
9 enabling the corporation to accomplish the objects for which  
10 it was created.

Sect. 15. This act shall take effect when approved by the  
2 Governor so far as to authorize the calling of a meeting or  
3 meetings of said corporation for the purpose of voting upon  
4 the acceptance of this charter, and whenever this charter  
5 shall be accepted by a majority of the voters of said corpo-  
6 ration at a legal meeting called for that purpose, then the  
7 same shall take and have complete effect in all its parts.



STATE OF MAINE.

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IN SENATE, February 5, 1903.

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

KENDALL M. DUNBAR, *Secretary.*