

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-SIXTH LEGISLATURE

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HOUSE

NO. 521

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*House of Representatives, March 14, 1913.*

*Reported by Mr. Sanborn from Committee on Judiciary, and  
ordered printed under joint rules.*

*W. R. ROIX, Clerk.*

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STATE OF MAINE

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

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AN ACT to incorporate the Ogunquit Village Corporation.

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

Section 1. That part of the territory of the town of Wells  
2 in the county of York, embraced within the limits described  
3 as follows:

Commencing at the southeasterly point of the boundary  
5 line between the towns of York and Wells, at the Atlantic  
6 ocean and extending northwesterly along said boundary line  
7 to the south branch of the Ogunquit river; thence by the  
8 Ogunquit river to the intersection of Stevens brook with  
9 said Ogunquit river, thence south 55 degrees east course to

10 the Atlantic ocean, thence by the Atlantic ocean to the bound-  
11 ary line between the towns of York and Wells and point  
12 begun at, together with the inhabitants within the said terri-  
13 tory is hereby created a body politic and corporate by the  
14 name of The Ogunquit 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 apportion and designate the uses to which the money  
4 referred to in section five hereof shall be put, said uses for  
5 said moneys and said purposes being among other things  
6 as follows: to create and maintain a fire department with  
7 all the necessary equipment, appliances and apparatus for  
8 the prevention and extinguishment of fires; to build, main-  
9 tain and repair roads, streets and ways, sidewalks, sewers  
10 and other sanitary works, including the collection and re-  
11 moval of offal and garbage; to care for and beautify that  
12 portion of the corporate territory of Ogunquit which may  
13 hereafter be reserved for and dedicated to public uses to  
14 be enjoyed in common by all the inhabitants of said Ogun-  
15 quit Village Corporation, and to that end to build roads and  
16 walks upon and to said public lands and to plant and care  
17 for trees in the roads and streets and upon said public lands;  
18 to build, repair and maintain public wharves and landings;  
19 to establish and maintain police and night watch; to pro-  
20 cure water for fire, domestic and other purposes; and to  
21 procure light for public use and for the use of the inhab-  
22 itants of said village corporation; said village corporation

23 shall so long as the present water contract continues pay its  
24 proportion of the total expense therefor in the town of  
25 Wells, and upon the expiration of said contract shall have  
26 authority to contract therefor with such other firm or cor-  
27 poration as it sees fit, providing said town neglects or re-  
28 fuses after reasonable time for so doing said town may  
29 contract for water for said purposes, and if said town shall  
30 contract said corporation shall pay its portion of its expense  
31 for the same. And for the purposes of obtaining light as  
32 above mentioned, said village corporation shall have author-  
33 ity to contract with any individual, firm or corporation to  
34 furnish such light for either or both of the purposes above  
35 mentioned.

Sect. 3. The town of Wells is hereby relieved from any  
2 and all duty to build, repair or maintain roads, streets or  
3 ways, within the territory of said Ogunquit Village Cor-  
4 poration. But if at any time said roads, streets, ways or  
5 bridges within the territory of said village corporation shall  
6 become unsafe and inconvenient for public travel, the select-  
7 men of said town may repair same so that they shall be safe  
8 and convenient and the expense of the same borne by said  
9 village corporation and shall be retained by said town of  
10 Wells out of the moneys hereinafter provided to be paid  
11 by said corporation. With reference to the common schools  
12 which are within the territory of said corporation there shall  
13 be paid to the town of Wells by this corporation whatever  
14 amount is the actual net cost to said town of Wells for

15 maintaining said common schools and schoolhouses located  
16 within the limits of said corporation, reference being had  
17 to the amount raised therefor by taxation and the amount  
18 which said town of Wells receives from the state of Maine  
19 for the maintenance of common schools. Said village cor-  
20 poration shall annually pay to the town of Wells the sum  
21 of three hundred (300) dollars to be used by said town in  
22 maintenance of its high school.

Sect. 4. Said corporation and the overseers thereof have  
2 the same power and duties in laying out, and altering town  
3 ways within the territory aforesaid, viz., the Ogunquit Vil-  
4 lage Corporation, which the town of Wells and the select-  
5 men now have, to be exercised and performed under the  
6 same conditions and limitation and in the same manner that  
7 they are now exercised and performed by said town and its  
8 selectmen.

Sect. 5. The town of Wells shall pay over to the treasurer  
2 of said corporation out of the taxes collected from the in-  
3 habitants and the estates within the territory of the Ogun-  
4 quit Village Corporation aforesaid, a sum equal to sixty  
5 per centum of all the town taxes, exclusive of the state and  
6 county tax, collected from said inhabitants and estates. Said  
7 sixty per centum shall be payable to said treasurer as fol-  
8 lows, viz: one-quarter of said amount on or before May  
9 fifteen of each year, one-quarter of said amount on or be-  
10 fore July fifteen of each year, and the balance on or before  
11 December fifteen of each year. The amount of such 60%

12 in any year shall be determined by computing said 60%  
13 upon the amount of money raised by taxation and appro-  
14 priation upon the property within said Ogunquit Village  
15 Corporation the year previous.

Sect. 6. The officers of said corporation shall be a clerk,  
2 who shall be a resident within the limits of said corporation,  
3 a treasurer, and three overseers (who shall also be residents  
4 within the limits of said corporation) who shall be chosen  
5 by ballot, and such other officers as the by-laws of said cor-  
6 poration may require. Said corporation is empowered to  
7 adopt at any legal meeting called for that purpose a code  
8 of by-laws for the government of the same for the proper  
9 management of its prudential affairs and other purposes  
10 connected therewith, provided said by-laws are not repug-  
11 nant to the laws of the state. Such code of by-laws may  
12 be altered or amended at any legal meeting of the corpo-  
13 ration in the call for which notice of the proposed change  
14 has been given. The officers aforesaid shall be sworn be-  
15 fore a justice of the peace and the treasurer shall give bonds  
16 to said corporation in such sum as the overseers may direct,  
17 which said bond shall be approved by the overseers and  
18 clerk.

Sect. 7. Any person who is a legal voter within the limits  
2 of said corporation may be elected or appointed to any office  
3 therein, but shall cease to hold said office whenever he ceases  
4 to be such legal voter.

Sect. 8. Said overseers shall be the general municipal  
2 officers of said corporation, and shall have general charge  
3 of its affairs and of the expenditure of all money therein,  
4 except so far as the same may be committed to other officers  
5 or persons.

Sect. 9. The overseers and the treasurer of said corpo-  
2 ration shall file with the municipal officers of the town of  
3 Wells, on or before the first day of February of each year,  
4 a full and detailed statement of all expenditures of money  
5 which have been paid to said corporation under the pro-  
6 visions of section five of this act.

Sect. 10. All persons residing within the limits of said  
2 corporation who would be legal voters in the town of Wells,  
3 shall be legal voters at any meeting of said corporation at  
4 which they are present. The overseers of said corporation  
5 shall determine who are legal voters at any meeting, and  
6 shall prepare a list of said voters at least twenty-four hours  
7 before every meeting, which said list they may amend or  
8 correct at any time before said meeting or during its prog-  
9 ress. The vote upon any proposition at any meeting shall  
10 be taken and checked by this list upon the demand of five  
11 legal voters.

Sect. 11. The first election of officers shall be at the meet-  
2 ing at which this charter is accepted. Said officers shall  
3 hold their respective offices until the next annual meeting  
4 of the corporation, at which said meeting officers shall be  
5 elected, and thereafterward at each annual meeting; but in

6 any event all officers duly elected shall hold office until their  
7 successors are elected and duly qualified. The annual meet-  
8 ing of said corporation shall be held on the first Monday of  
9 April in each year.

Sect. 12. This charter may be accepted at any time within  
2 five years after it shall become law, but only one meeting  
3 to vote thereon shall be called in any one calendar year.  
4 Nehemiah P. M. Jacobs, Wilbur F. Cousens, George H.  
5 Littlefield, J. Moses Perkins, Edward T. Weare, Samuel J.  
6 Perkins, F. Raymond Brewster, or either of them may call  
7 all meetings of the corporation previous to the acceptance  
8 of the charter and the election of officers, and notify the  
9 persons entitled to vote therein to meet at some suitable  
10 time and place within the limits of said corporation by post-  
11 ing notices in two places within the limits of said corporation  
12 seven days at least before the time of holding said meeting ;  
13 all subsequent meetings shall be called and notified by the  
14 overseers as town meetings are called and notified by the  
15 selectmen, either of the above named persons are authorized  
16 to preside at any meeting previous to the acceptance of the  
17 charter until the meeting is organized and until a moderator  
18 shall have been chosen by ballot and sworn, at all meetings  
19 of the corporation a moderator shall be chosen in the man-  
20 ner and with the same power as in town meetings.

Sect. 13. Whenever this charter shall be accepted by a  
2 majority of the voters of said corporation at a legal meeting  
3 called for that purpose, then the same shall take and have



4 complete effect in all its parts; but whatever sum or sums  
5 of money may be appropriated by said town to be used and  
6 expended within the limits of said corporation, during the  
7 year in which this charter is accepted, shall be deducted from  
8 the amount payable to said corporation for said year as pro-  
9 vided in section 5 of the act.