

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

NEW DRAFT.

---

---

SEVENTY-SIXTH LEGISLATURE

---

---

HOUSE

NO. 622

---

---

*House of Representatives, March 21, 1913.*

*Reported by Mr. Connors from Committee on Legal Affairs  
and ordered printed under joint rules.*

W. R. ROIX, *Clerk.*

---

---

STATE OF MAINE

---

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

---

AN ACT to create a body politic and corporate by the name of  
Bustin's Island Village Corporation.

---

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

Section 1. The territory embraced within the limits of  
2 Bustin's Island, sometimes known as Bibber's Island, in the  
3 town of Freeport, in the County of Cumberland, together  
4 with the inhabitants thereon and certain owners of real es-  
5 tate thereon as herein specified is hereby created a body  
6 politic and corporate by the name of Bustin's Island Village  
7 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,  
7 and ways, sidewalks, sewers and other sanitary works, in-  
8 cluding the collection and removal of offal and garbage; to  
9 care for and beautify that portion of the island which has  
10 been or may hereafter be reserved for and dedicated to pub-  
11 lic uses to be enjoyed in common by all the owners of lots  
12 of land on the island and to that end to build roads and  
13 walks upon and through said public lands and to plant and  
14 care for trees in the roads and streets and upon said public  
15 land; to build, repair and maintain wharves and landings;  
16 to establish and maintain police and night watch; to pro-  
17 cure water for fire, domestic and other purposes and to pro-  
18 duce or procure light for public use and for the use of the  
19 inhabitants of the island, and for such purposes to contract  
20 with any individual, firm or corporation to furnish such  
21 water or light for either or both of the purposes named, and  
22 to establish reasonable rates to be paid by the inhabitants of  
23 the island using such water or light for domestic purposes;  
24 to construct, maintain and operate telephone and telegraph  
25 lines or to aid in such construction, maintenance and opera-  
26 tion and to that end and for that purpose to contract with

27 any corporation, firm or individual therefor and to defray  
28 any and all other necessary or proper corporate charges.

Sect. 3. All moneys which shall be raised by the town of  
2 Freeport by special action for use on said Bustin's Island,  
3 not including moneys raised for general town purposes,  
4 shall be expended only upon the request of, and for such  
5 purposes as the Board of Overseers of said Corporation may  
6 direct.

Sect. 4. All moneys which shall be raised by said corpo-  
2 ration for the purposes named in Section 2 of this Act or  
3 for any other purpose, for which the corporation may law-  
4 fully raise money, shall be assessed upon the taxable polls  
5 and estates embraced within the limits of the corporation  
6 by the Assessors of the Town of Freeport in the same man-  
7 ner as is provided by law for the assessment of town and  
8 county taxes. Provided that it shall not be legal for said  
9 assessment to exceed five mills on the dollar on estates, and  
10 that the total appropriations together with any indebtedness  
11 of said corporation shall not exceed two and one-half per-  
12 cent of the total valuation of said island as shown on the  
13 Assessor's books of said Town at the last preceding assess-  
14 ment. For the purposes of taxation under this act the per-  
15 son or persons entitled to the use or occupation of any lot  
16 of land on said island shall be deemed the owner thereof  
17 and be taxed for said lot and the improvements, if any,  
18 thereon.

Sect. 5. The officers of said corporation shall be a clerk,

2 who shall be a resident of this State, a treasurer and five  
3 overseers who shall be chosen by ballot and such other of-  
4 ficers as the by-laws of said corporation may require. Said  
5 corporation is empowered to adopt at any legal meeting  
6 called for that purpose a code of by-laws for the govern-  
7 ment of the same and for the proper management of its  
8 prudential affairs and other purposes connected therewith,  
9 provided said by-laws are not repugnant to the laws of the  
10 State. Such code of by-laws may be altered or amended at  
11 any legal meeting of the corporation in the call for which  
12 notices of the proposed change has been given. The offi-  
13 cers aforesaid shall be sworn before the clerk or a justice  
14 of the peace and the treasurer shall give bond to said cor-  
15 poration in such sums as the overseers may direct, which  
16 bond shall be approved by the overseers and the clerk.

Sect. 6. Any person who is a legal voter in said corpora-  
2 tion 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. 7. Said overseers shall be the general municipal of-  
2 ficers of said corporation and shall have general charge of  
3 its affairs and of the expenditure of all money therein ex-  
4 cept so far as the same may be committed to other officers  
5 or persons.

Sect. 8. Upon a certificate being filed with the assessors  
2 of the Town of Freeport by the clerk of this corporation of  
3 the amount of money voted to be raised at any meeting of

4 the corporation, it shall be the duty of said assessors or their  
5 successors in office, at the time of the next annual assess-  
6 ment of town and county taxes in said town of Freeport,  
7 to assess in addition thereto the total amounts certified by  
8 the clerk of this corporation, upon the polls and estates of  
9 persons residing within the limits of said corporation, and  
10 and upon the estates of non-resident proprietors thereof and  
11 to certify and deliver the lists of the assessments so made  
12 to the collector of the town of Freeport, whose duty it shall  
13 be to collect the same in like manner as county and town  
14 taxes are collected by law, and said collector shall pay over  
15 to the Treasurer of said corporation whenever the overseers  
16 shall so direct, all money collected by him of said sum as-  
17 sessed in addition to said town, county and State taxes. It  
18 shall be the duty of the Treasurer of said corporation to  
19 receive all moneys belonging to the corporation and to pay  
20 it out only upon the written order or direction of the over-  
21 seers and to keep a regular account of all moneys received  
22 and paid out and to exhibit the same to the overseers when-  
23 ever requested, and said town of Freeport shall have the  
24 same power to direct the mode of collecting said taxes that  
25 it has in the collection of town taxes, and said collector  
26 shall have the same rights and powers to recover any taxes  
27 committed to him under the provisions of this act by suit that  
28 he has for the collection of town taxes committed to him,  
29 and the town of Freeport shall have the same right to re-  
30 cover taxes assessed under this act by suit that it has to re-

31 cover town taxes assessed therein. The collector of Free-  
32 port shall be entitled to receive the same percentage for the  
33 collection of taxes assessed under this act, and the same  
34 fees in connection with the collection thereof, which he re-  
35 ceives for the collection of town taxes.

Sect. 9. All persons residing within the limits of said cor-  
2 poration who would be legal voters in the town of Free-  
3 port, and every person of legal age who owns a part or the  
4 whole of one or more lots of land upon said island shall be  
5 legal voters at any meeting of said corporation at which  
6 they are present. The overseers of said corporation shall  
7 determine who are the legal voters at any meeting and shall  
8 prepare a list of such legal voters twenty-four hours at  
9 least before every meeting, which said list they may cor-  
10 rect at any time before said meeting, or during its progress.  
11 The vote upon any proposition at any meeting shall be taken  
12 and checked by said list upon the demand of five legal vot-  
13 ers, provided, however, that where a lot of land is owned  
14 by two or more persons, such persons may agree in writing  
15 filed with said Board of Overseers which of the said own-  
16 ers is to be the legal voter at any meeting of the corpora-  
17 tion, and in no case shall the ownership of any tract or par-  
18 cel of land entitle the owner or owners thereof to more than  
19 one vote at any of the meetings of the said corporation.

Sect. 10. 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 first Monday of Sep-

4 tember following the annual meeting of the corporation, at  
5 which said meeting officers may be elected and thereafter-  
6 wards at each annual meeting, but they shall not assume the  
7 duties of their respective offices until the first Monday in  
8 September following their election, but in any event all offi-  
9 cers duly elected shall hold office until their successors are  
10 elected and duly qualified. The annual meeting of the said  
11 corporation shall be held on the first Saturday of August  
12 in each year.

Sect. 11. This charter may be accepted at any time with-  
2 in five years from its approval by the governor, but only  
3 one meeting to vote thereon shall be called in any one cal-  
4 endar year. Frederic D. Fuller, Freeman M. Grant, E. S.  
5 Hosmer, W. C. Russell, C. E. Brainard, Frederic W. Mar,  
6 and E. W. Tuttle, or either of them, may call all meetings  
7 of the corporation previous to the acceptance of this char-  
8 ter and the election of officers and notify the persons en-  
9 titled to vote therein to meet at some suitable time and place  
10 on said Bustin's Island, by posting of notices in two public  
11 places on said island seven days at least before the time of  
12 holding said meeting; all subsequent meetings shall be  
13 called and notified by the overseers as town meetings are  
14 called and notified by the selectmen; either of the above  
15 named persons are authorized to preside at any meeting  
16 previous to the acceptance of the charter until the meeting  
17 is organized and until a moderator shall have been chosen  
18 by ballot and sworn, at all meetings of the corporation a



19 moderator shall be chosen in the manner, and with the same  
20 power as in town meetings.

Sect. 12. The Bustin's Island Cottage Association is here-  
2 by authorized to sell, convey, lease or otherwise dispose of  
3 any and all real estate or interest therein which it now has  
4 to the Bustin's Island Village Corporation, and said latter  
5 corporation is hereby authorized to purchase, take title to,  
6 lease or otherwise acquire said real estate or interests there-  
7 in and to hold, manage, and control the same for the bene-  
8 fit of said corporation, and the members thereof, and for the  
9 purpose of enabling the corporation to accomplish the ob-  
10 jects for which it was created.

Sect. 13. 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.