

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 4

House of Representatives, Jan. 20, 1915.

Ordered, that five hundred copies be printed and that the same be referred to the Committee on Towns.

Committee of Reference.

Presented by Mr. Millett of Belfast.

STATE OF MAINE

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

AN ACT to incorporate the Northport Village Corporation.

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

Section 1. That part of the territory in the town of
2 Northport, in the county of Waldo, embraced within the
3 limits described as follows: Beginning on the shore of
4 the West Bay of Penobscot at a point marking the south-
5 erly line of the property known as "Shore Acres" owned
6 by Charles and Albert Woodman and the northerly line
7 of land recently in the possession of Emma J. Marshall;
8 thence westerly by the line dividing the land of said Mar-
9 shall on the south, from land of said Charles and Albert

10 Woodman and land of Deborah Smith on the north, to the
11 Old Bluff Road, so called; thence northerly by the center
12 of said road to the southerly line of land in the possession
13 of Althea Mahoney, said land being shown on the original
14 plan of the town of Northport as of Isaac Woodworth;
15 thence westerly by said southerly line of above named
16 Woodworth on Mahoney lot to the southeasterly corner
17 thereof as shown on town plan aforesaid; thence still west-
18 erly by southerly line of land owned by C. O. Dickey
19 (formerly known as Martin G. Black farm) to the back
20 road, so called, leading from "Saturday Cove" to "Brown's
21 Corner" in said Northport; thence northerly and north-
22 easterly by the center of said road to Brown's Corner;
23 thence still northeasterly by the continuation of said road
24 and in the center thereof to the shore of the West Bay of
25 Penobscot above named; thence northeasterly, southeast-
26 erly and southerly by said bay to the point of beginning,
27 together with the inhabitants within said territory and cer-
28 tain owners of real estate therein as hereinafter specified
29 is hereby created a body politic and corporate by the name
30 of the Northport Village Corporation, with all the rights
31 and privileges granted by the laws of the State to similar
32 corporations.

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

5 appliances and apparatus for the prevention or 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 garbage and other
9 waste material ; to care for and beautify any portion of the
10 corporate territory which may be reserved for and dedi-
11 cated to public uses to be enjoyed in common by all the
12 owners of real estate within the limits of said Northport
13 Village Corporation, and to that end to build public roads
14 and walks, and to plant and care for trees, shrubs and flow-
15 ers within the limits of the roads and streets and upon
16 said public lands ; to build, repair and maintain public
17 wharves and landings ; to establish and maintain a police
18 force and night watch ; to procure water for fire, domestic
19 and other purposes, and to purchase and own any exist-
20 ing systems furnishing water and to add to the same from
21 time to time as public convenience and necessity may re-
22 quire, and to contract for the furnishing of water with any
23 existing or future corporation furnishing water ; to procure
24 lights for the public use and for the use of the inhabitants
25 of said Village Corporation and for such purpose to con-
26 tract with any firm, individual or corporation to furnish
27 such lights, or to install, purchase and own any lighting
28 plant ; to establish reasonable rates to be paid by the inhab-
29 itants for said Village Corporation using said water or
30 light for domestic purposes, if produced by said corpora-
31 tion ; to purchase, equip and maintain an athletic field for

32 the use in common by all of the owners of real estate within
33 the boundaries of said Northport Village Corporation, and
34 to contribute from time to time to features of an entertain-
35 ing or athletic nature during the months of June, July, and
36 August of any year,—which athletic sports or entertain-
37 ment shall be free to all of the owners of real estate within
38 the corporate territory; to license entertainments of a char-
39 acter not forbidden by law, and to forbid the same when,
40 in the judgment of the overseers, such entertainment is a
41 nuisance or is immoral; to make and enforce rules and reg-
42 ulations for the maintenance of order, and the protection of
43 corporate property. Said Village Corporation, in addi-
44 tion to the powers and duties hereinabove enumerated, shall
45 have power—

(a) To borrow money not in excess of the amount voted
47 to be raised during the calendar year;

(b) To abate or refund taxes assessed within its limits
49 for corporation purposes.

(c) To borrow money and issue bonds therefor not in
51 excess of the amount allowed by law. No money, how-
52 ever, shall be borrowed secured by bonds except for the
53 purpose of creating or purchasing improvements of a per-
54 manent public character.

Sect. 3. The town of Northport is hereby relieved from
2 any and all duty to build, repair or maintain roads, streets
3 or ways within the territory of said Northport Village Cor-

4 poration. Nor shall the town of Northport be required to
5 perform any of the duties for which said corporation is
6 authorized by section two of this act to raise money, and
7 said town shall not be liable for defects in streets, ways
8 or roads within the limits of said Village Corporation nor
9 for failure to perform any duty from which it is relieved by
10 this act, but said corporation shall assume all of said duties
11 and be liable for said defects in streets, ways and roads,
12 and for failure to perform the duties assumed as the town
13 of Northport would have been liable except for this act,
14 which liability may be enforced under the same conditions,
15 in the same manner and with the same remedies as are pro-
16 vided by law in relation to towns.

Sect. 4. Said corporation and the overseers thereof shall
2 have the same power and duties in laying out, discontin-
3 uing and altering town ways within the territory aforesaid
4 which the town of Northport and the selectmen now have,
5 to be exercised and performed under the same conditions
6 and limitations in the same manner that they are now exist-
7 ing and performed by said town and its selectmen.

Sect. 5. The town of Northport shall from time to time
2 as taxes are collected, pay over to the treasurer of said cor-
3 poration, out of the taxes collected from the inhabitants and
4 estates within the territory of the Northport Village Cor-
5 poration aforesaid, a sum equal to sixty per centum of all

6 the town taxes, exclusive of the State and County tax col-
7 lected from said inhabitants and estates.

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

Sect. 7. The officers of said corporation shall be a presi-
2 dent, a clerk who shall be a resident of this state, a treas-
3 urer, and seven overseers who shall be chosen by ballot,
4 and such other officers as the by-laws of the corporation
5 may require. Said corporation shall have power to adopt,
6 at any legal meeting called for that purpose, a code of
7 by-laws for the government of its affairs and for its proper
8 management, provided said by-laws are not repugnant to
9 any laws of the state. Such by-laws may be altered or
10 amended at any legal meeting of the corporation, provided
11 that notice of such proposed change shall be plainly stated in
12 the call for such meeting. All of the officers shall be sworn

13 by the clerk or a justice of the peace, and the treasurer
14 shall give bond to the corporation, in such amount and with
15 such surety or sureties as the overseers may direct and
16 approve.

Sect. 8. 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. 9. The president, if present, shall preside over all
2 of the meetings of the board of overseers, and in the event
3 of a tie shall cast the deciding vote. In the absence of the
4 president, a chairman shall be elected to preside.

Sect. 10. Said overseers shall be the general municipal
2 officers of said corporation and shall have general charge
3 of its affairs and of the expenditures of its moneys, except
4 so far as the same may be committed to other officers or
5 persons.

Sect. 11. Each and every year, a meeting shall be held
2 within the territorial limits of the village corporation, on the
3 second Tuesday of August, at which a majority of the legal
4 voters there assembled shall determine the amount of money
5 to be raised for the corporate purposes during the next suc-
6 ceeding year. A certificate signed by the president and attest-
7 ed by the clerk shall thereupon be filed with the assessors for
8 the town of Northport, which certificate shall recite the
9 amount determined to be raised. It shall then become the

10 duty of said assessors, or their successors in offices, at the
11 time of the next annual assessment of town and county
12 taxes in said town of Northport, to assess the total amounts
13 shown by each certificate upon the polls and estates of per-
14 sons residing within the limits of said corporation, and
15 upon the estates of non-resident proprietors thereof, and
16 to certify and deliver the lists of the assessment so made
17 to the collector of the town of Northport, whose duty it
18 shall be to collect the same in like manner as county and
19 town taxes are by law collected, and said collector shall pay
20 over all moneys collected by him to the treasurer of said
21 corporation whenever the overseers shall so direct. The
22 collector shall also deliver to the treasurer of the corpora-
23 tion a list of the assessments. It shall be the duty of the
24 treasurer of said village corporation to receive all moneys
25 belonging to the corporation and to pay the same out only
26 upon the written order or direction of the overseers, and
27 to keep regular accounts of all moneys received and paid
28 out, and to exhibit the same to the overseers whenever re-
29 quested. The town of Northport shall have the same pow-
30 ers relative to the collection of taxes within the corporate
31 limits as it has in the collection of town taxes, and the
32 collector shall have the same rights and powers to recover
33 any taxes committed to him under the provisions of this act,
34 by suit, or otherwise, that he has for the collection of town
35 taxes committed to him, and the town of Northport shall
36 have the same right to recover town taxes assessed therein ;

37 and if the collector of Northport receives for his compen-
38 sation a percentage for the collection of taxes, he shall re-
39 ceive from the village corporation the same percentage as is
40 paid him on account of the collection of town taxes, and if
41 he receives a salary, then, he shall be paid by the corporation
42 that proportion of his salary that the total taxes assessed
43 and collected for the village corporation bears to the total
44 taxes collected by him for account of both the town of
45 Northport and the village corporation.

Sect. 12. All persons residing within the limits of said
2 corporation who shall be legal voters in the town of North-
3 port, and every person of lawful age who owns land in fee
4 simple, and every person of lawful age who occupies one or
5 more lots of land under a lease in perpetuity from the
6 Northport Wesleyan Grove Campmeeting Association, shall
7 be legal voters at any meeting of said corporation which
8 they shall attend. The by-laws of the corporation may pro-
9 vide reasonable rules and regulations concerning the regis-
10 tration of voters, and only persons who have registered un-
11 der the provisions of such reasonable regulations shall be
12 entitled to vote. A list of the voters shall be prepared at
13 least twenty-four hours before every meeting, which list
14 may be amended or corrected by the overseers of the cor-
15 poration at any time before said meeting or during its
16 progress. On demand of five legal voters, a vote upon any
17 proposition at any meeting shall be taken and checked by

18 the list of registered voters. A majority of the votes of
19 those present at any meeting shall be binding upon the
20 corporation.

Sect. 13. 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 thereafter at each annual meeting, but in any
6 event all officers duly elected shall hold office until their
7 successors are elected and duly qualified.

Sect 14. This charter may be accepted at any time within
2 three years after it shall become law, but not more than
3 two meetings to vote thereon shall be called in any one cal-
4 endar year. Ira M. Cobe, H. J. Banton, J. W. Blaisdell,
5 Fred W. Dawes, Dr. Percy Warren, Fred Walls, Loren
6 Cross, Philo C. Blaisdall, W. Franklin Burnham, John Rob-
7 erts, William Kotman, and Charles E. Rogers, or any one
8 of them, may call all meetings of the corporation previous
9 to the acceptance of the charter and the first election of
10 officers, and notify the persons entitled to vote therein to
11 meet at some suitable time and place within the said limits
12 of this corporation, by posting of notices in two public
13 places within the limits of said corporation not less than
14 seven days before the holding of said meeting; all subse-
15 quent meetings shall be called and notified by the overseers
16 as town meetings are called and notified by the selectmen.

17 Either of the above named persons is authorized to pre-
18 side at any meeting previous to the acceptance of the char-
19 ter until the meeting is organized and until a moderator shall
20 have been chosen by ballot and sworn; at all meetings of
21 the corporation a moderator shall be chosen in the same
22 manner and with the same powers as in town meetings.

Sect. 15. At the meeting called for the purpose of voting
2 upon the acceptance of this charter, as soon as a majority
3 have voted in favor thereof, the legal voters as defined by
4 this act may in said first meeting exercise all of the powers
5 herein conferred upon the voters at the annual meeting.
6 At said first meeting any legal voter may vote by written
7 proxy running to any legal voter who is present at the
8 meeting.

Sect. 16. In the event of the death or resignation of any
2 officer or overseer, his place may be filled by vote of a ma-
3 jority of the Board of Overseers, and the new officer or
4 overseer so elected shall hold his office until the next annual
5 meeting, or until his successor is elected and qualified.

Sect. 17. Whenever this charter shall be accepted by a
2 majority of the voters of said corporation voting at a legal
3 meeting called for that purpose, then, the same shall take
4 and have complete effect in all its parts.

Sect. 18. If this charter shall be accepted and a certificate
2 of the amount of money voted to be raised by the corpora-
3 tion filed with the assessors of the town of Northport, on

4 or before the first day of April, A. D. 1916, the amount of
5 money so voted to be raised shall be included in the assess-
6 ment of taxes for the year 1916.