

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 707

House of Representatives, March 13, 1915.

*Reported by Mr. Greeley from Committee on Towns and
ordered printed under joint rules.*

C. C. HARVEY, Clerk.

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 North-
2 port, in the County of Waldo, embraced within the limits
3 described as follows: Beginning on the shore of the West
4 Bay of Penobscot at a point marking the southerly line of
5 the property known as "Shore Acres" owned by Charles
6 and Albert Woodman and the northerly line of land re-
7 cently in the possession of Emma J. Marshall; thence west-
8 erly by the line dividing the land of said Marshall on the
9 south, from land of said Charles and Albert Woodman
10 and land of Deborah Smith on the north, to the Old Bluff

11 Road, so called; thence northerly by the centre of said road
12 to the southerly line of land in the possession of Althea Ma-
13 honey, said land being shown on the original plan of the
14 town of Northport as of Isaac Woodworth; thence westerly
15 by said southerly line of above named Woodworth on Ma-
16 honey lot to the southeasterly corner thereof as shown on
17 town plan aforesaid; thence still westerly by southerly line
18 of land owned by C. O. Dickey (formerly known as Martin
19 G. Black farm) to the back road, so called, leading from
20 "Saturday Cove" to "Brown's Corner" in said Northport;
21 thence northerly and northeasterly by the center of said road
22 to Brown's Corner; thence still northeasterly by the con-
23 tinuation of said road and in the center thereof to the shore
24 of the West Bay of Penobscot above named; thence north-
25 easterly, southeasterly and southerly by said Bay to the
26 point of beginning, together with the inhabitants within said
27 territory and certain owners of real estate therein as here-
28 inafter specified is hereby created a body politic and cor-
29 porate by the name of the Northport Village Corporation,
30 with all the rights and privileges granted by the laws of the
31 State to similar 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 said
16 public lands; to build, repair and maintain public wharves
17 and landings; to establish and maintain a police force and
18 night watch; to procure water for fire, domestic and other
19 purposes, and to purchase and own any existing systems
20 furnishing water and to add to the same from time to time
21 as public convenience and necessity may require, and to con-
22 tract for the furnishing of water with any existing or future
23 corporation furnishing water; to procure lights for the pub-
24 lic use and for the use of the inhabitants of said Village
25 Corporation and for such purpose to contract with any
26 firm, individual or corporation to furnish such lights, or
27 to install, purchase and own any lighting plant; to estab-
28 lish reasonable rates to be paid by the inhabitants for said
29 Village Corporation using said water or light for domestic
30 purposes, if produced by said corporation; to purchase,
31 equip and maintain an athletic field for the use in common
32 by all of the owners of real estate within the boundaries of

33 said Northport Village Corporation, and to contribute from
34 time to time to features of an entertaining or athletic nature
35 during the months of June, July and August of any year,
36 —which athletic sports of entertainment shall be free to all
37 of the owners of real estate within the corporate territory :
38 to license entertainments of a character not forbidden by
39 law, and to forbid the same when, in the judgment of the
40 overseers, such entertainment is a nuisance or is immoral ;
41 to make and enforce rules and regulations for the mainte-
42 nance of order, and the protection of corporate property.
43 Said Village Corporation, in addition to the powers and du-
44 ties hereinabove enumerated, shall have power—

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

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

(c) To borrow money and issue bonds therefor not in
50 excess of the amount allowed by law. No money, however,
51 shall be borrowed secured by bonds except for the purpose
52 of creating or purchasing improvements of a permanent
53 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 or
8 roads within the limits of said Village Corporation, nor for
9 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, discontinuing
3 and altering town ways within the territory aforesaid which
4 the town of Northport and the selectmen now have, to be
5 exercised and performed under the same conditions and
6 limitations in the same manner that they are now existing
7 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
3 corporation, out of the taxes collected from the inhabitants
4 and estates within the territory of the Northport Village
5 Corporation aforesaid, a sum equal to sixty per centum of
6 all the town taxes, exclusive of the State and County tax
7 collected 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 persons
9 entitled to the use or occupation of any lot of land within
10 the limits of said Northport Village Corporation shall be
11 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 treasurer,
3 and seven overseers who shall be chosen by ballot, and
4 such other officers as the by-laws of the corporation may
5 require. Said corporation shall have power to adopt, at
6 any legal meeting called for that purpose, a code of by-laws
7 for the government of its affairs and for its proper man-
8 agement, provided said by-laws are not repugnant to any
9 laws of the state. Such by-laws may be altered or amended
10 at any legal meeting of the corporation, provided that no-
11 tice of such proposed change shall be plainly stated in the
12 call for such meeting. All of the officers shall be sworn by
13 the clerk or a justice of the peace, and the treasurer shall
14 give bond to the corporation, in such amount and with such
15 surety or sureties as the overseers may direct and 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 offi-
2 cers of said corporation and shall have general charge of its
3 affairs and of the expenditures of its moneys, except so far
4 as the same may be committed to other officers or persons.

Sect. 11. Each and every year, a meeting shall be held
2 within the territorial limits of the village corporation, on
3 the second Tuesday of August, at which a majority of the
4 legal voters there assembled shall determine the amount of
5 money to be raised for the corporate purposes during the
6 next succeeding year. A certificate signed by the president
7 and attested by the clerk shall thereupon be filed with the
8 assessors for the town of Northport, which certificate shall
9 recite the amount determined to be raised. It shall then be-
10 come the duty of said assessors, or their successors in of-
11 fices, at the time of the next annual assesment of town and
12 county taxes in said town of Northport, to assess the tota
13 amounts shown by each certificate upon the polls and estates
14 of persons residing within the limits of said corporation,
15 and upon the estates of non-resident proprietors thereof,
16 and to certify and deliver the lists of the assessment so
17 made to the collector of the town of Northport, whose duty

18 it 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 col-
32 lector shall have the same rights and powers to recover any
33 taxes committed to him under the provisions of this act by
34 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 there-
37 in; and if the collector of Northport receives for his com-
38 pensation a percentage for the collection of taxes, he shall
39 receive from the village corporation the same percentage as
40 is paid him on account of the collection of town taxes, and
41 if he receives a salary, then he shall be paid by the corpora-
42 tion that proportion of his salary that the total taxes as-
43 sessed and collected for the village corporation bears to the

44 total 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
5 or 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
11 under the provisions of such reasonable regulations shall
12 be entitled to vote. A list of the voters shall be prepared
13 at 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 prog-
16 ress. 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 cor-
20 poration.

Sect. 13. 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 thereafter at each annual meeting, but in any event all

6 officers duly elected shall hold office until their successors
7 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 two
3 meetings to vote thereon shall be called in any one calendar
4 year. Ira M. Cobe, H. J. Banton, J. W. Blaisdell, Fred W.
5 Dawes, Dr. Percy Warren, Fred Walls, Loren Cross, Philo
6 C. Blaisdell, W. Franklin Burnham, John Roberts, William
7 Kotman, and Charles E. Rogers, or any one of them, may
8 call all meetings of the corporation previous to the accept-
9 ance of the charter and the first election of officers, and no-
10 tify the persons entitled to vote therein to meet at some
11 suitable time and place within the said limits of this cor-
12 poration, by posting of notices in two public places within
13 the limits of said corporation not less than seven days before
14 the holding of said meeting; all subsequent meetings shall
15 be called and notified by the overseers as town meetings are
16 called and notified by the selectmen. Either of the above
17 named persons is authorized to preside at any meeting pre-
18 vious to the acceptance of the charter until the meeting is
19 organized and until a moderator shall have been chosen by
20 ballot and sworn; at all meetings of the corporation a mod-
21 erator shall be chosen in the same manner and with the
22 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. At
6 said first meeting any legal voter may vote by written proxy
7 running to any legal voter who is present at the 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
3 majority of the Board of Overseers, and the new officer or
4 overseer so elected shall hold his office until the next an-
5 nual 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 or
4 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.