

MAINE STATE LEGISLATURE

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(NEW DRAFT)

EIGHTY-SECOND LEGISLATURE

H. P. No. 837

H. D. No. 177

House of Representatives, Feb. 18, 1925.

Reported by Mr. Holmes from Committee on Judiciary and
ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-FIVE

AN ACT to Incorporate the Bay Point Village Corporation.

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

Section 1. The territory embraced within the following
2 limits, to wit: all that portion of Bay Point, so-called, in the
3 town of Georgetown, which is bounded and described as
4 follows, to wit: Beginning at a point where the northerly
5 line of the Bay Point Road, so-called, intersects the westerly
6 line of the Kennebec Point Road, so-called; thence running
7 southerly by said westerly line of said Kennebec Point Road
8 and by the continuation of said line, to the Atlantic Ocean
9 at low water mark; thence following the shore southerly,
10 westerly and northerly by low water mark of said Atlantic
11 Ocean and of the Kennebec River, to the southwesterly

12 corner of land of the heirs of John Warren; thence east-
13 erly in a straight line by the southerly line of the land of
14 said John Warren heirs, by land of the heirs of Elijah Spin-
15 ney, and by land of the Sinclair heirs, to the point of be-
16 ginning; together with the inhabitants thereon and certain
17 owners of real estate thereon, as hereinafter specified, is
18 hereby created a body politics and corporate, by the name
19 of the Bay Point 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 equip-
5 ment, appliances and apparatus for the prevention and ex-
6 tinguishment of fires; to build, repair and maintain roads,
7 streets and ways, sidewalks, sewers and other sanitary works,
8 including the collection and removal of offal and garbage;
9 to care for and beautify that portion of said territory which
10 has been or may hereafter be reserved for and dedicated
11 to public uses to be enjoyed in common by all the owners
12 of estates in said territory and to that end to build roads
13 and walks upon and through said public lands and to plant
14 and care for trees in the roads and streets and upon said
15 public lands; to build, repair and maintain public wharves
16 and landings; to establish and maintain police and night
17 watch; to procure water for fire, domestic and other pur-
18 poses and to produce or procure light for public use and
19 for the use of the inhabitants of said territory, and for such

20 purposes to contract with any individual, firm or corpora-
21 tion to furnish such water or light for either or both of
22 the purposes named and to establish reasonable rates sub-
23 ject to approval by the public utilities commission, to be
24 paid by the inhabitants of said territory using such water
25 or light for domestic purposes; to construct, maintain and
26 operate telephone and telegraph lines or to aid in such con-
27 struction, maintenance and operation and to that end and
28 for that purpose to contract with any corporation, firm or
29 individual therefor; and to defray any and all other neces-
30 sary or proper corporate charges.

Sect. 3.—The town of Georgetown is hereby relieved from
2 any and all duty to build, repair or maintain roads, streets
3 or ways upon said territory or to build school houses or
4 to maintain schools thereon, except that any school children
5 residing within the corporate limits of the Village corpora-
6 tion shall have the right to attend school in the town of
7 Georgetown, or to perform any of the duties for which
8 said corporation is authorized by section two of this act
9 to raise money, and said town shall not be liable for defects
10 in streets, ways or roads in said territory nor for failure
11 to perform any duty from which it is relieved by this act,
12 but said corporation shall assume all of said duties and be
13 liable for said defects in streets, ways and roads and for
14 failure to perform the duties assumed as the town of George-
15 town would have been liable except for this act, which lia-
16 bility may be enforced under the same condition, in the

17 same manner and with the same remedies as are provided
18 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 in said territory which the town of
4 Georgetown and the selectmen now have, to be exercised
5 and performed under the same conditions and limitations
6 and in the same manner that they are now exercised and
7 performed by said town and its selectmen.

Sect. 5. The town of Georgetown shall annually pay over
2 to the treasurer of said corporation out of the taxes col-
3 lected from the inhabitants and estates in said territory a
4 sum equal to sixty per centum of all the town taxes, exclu-
5 sive of the state and county tax, collected from said inhabi-
6 tants 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 Georgetown 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 the act the person or persons
9 entitled to the use or occupation of any lot of land in said
10 territory shall be deemed the owner thereof and be taxed for
11 said lot and the 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

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

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. 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 ex-
4 cept so far as the same may be committed to other officers
5 or persons.

Sect. 10. Upon a certificate being filed with the assessors
2 of the town of Georgetown by the clerk of this corporation
3 of the amount of money voted to be raised at any meeting
4 for any of the purposes aforesaid, it shall be the duty of
5 said assessors or their successors in office, at the time of

6 the next annual assessment of town and county taxes in
7 said town of Georgetown to assess the total amounts certi-
8 fied by the clerk of this corporation upon the polls and es-
9 tates of persons residing within the limits of said corpora-
10 tion and upon the estates of non-resident proprietors there-
11 of and to certify and deliver the lists of the assessments so
12 made to the collector of the town of Georgetown, whose
13 duty it shall be to collect the same in like manner as county
14 and town taxes are by law collected and said collector shall
15 pay over all moneys collected by him to the treasurer of said
16 corporation whenever the overseers shall so direct. It shall
17 be the duty of the treasurer of said corporation to receive
18 all moneys belonging to the corporation and to pay it out
19 only upon the written order or direction of the overseers
20 and to keep a regular account of all moneys received and
21 paid out and to exhibit the same to the overseers whenever
22 requested, and said town of Georgetown shall have the
23 same power to direct the mode of collecting said assess-
24 ments it has in the collection of the town taxes and said
25 collector shall have the same rights and powers to recover
26 any taxes committed to him under the provisions of this
27 act by suit that he has for the collection of town taxes
28 committed to him and the town of Georgetown shall have
29 the same right to recover taxes assessed under this act by
30 suit that it has to recover town taxes assessed therein. The
31 collector of Georgetown shall be entitled to receive the same
32 percentage for the collection of taxes assessed under this

33 act and the same fees in connection with the collection
34 thereof which he receives for the collection of the town
35 taxes.

Sect. 11. All persons residing within the limits of said
2 corporation, who would be legal voters in the town of
3 Georgetown and every person of lawful age who owns and
4 is in possession of one or more lots of land in said territory
5 shall be legal voters at any meeting of said corporation at
6 which they are present. The overseers of said corporation
7 shall determine who are the legal voters at any meeting and
8 shall prepare a list of said voters at least twenty-four hours
9 before every meeting, which said list they may amend or
10 correct at any time before said meeting or during its prog-
11 ress. The vote upon any proposition at any meeting shall
12 be taken and checked by this list upon the demand of five
13 legal voters; provided, however, that every person, who by
14 virtue of a joint ownership of himself and some other per-
15 son or persons, and by agreement with the other joint own-
16 ers, is in possession of a certain aliquot part of a lot of land
17 in said territory upon which he has a dwelling house owned
18 and controlled by himself exclusively, shall be deemed a
19 legal voter at any meeting of the corporation at which he
20 is present.

Sect. 12. The first election of officers shall be at the
2 meeting at which this charter is accepted. Said officers
3 shall hold their respective offices until the next annual meet-
4 ing of the corporation, at which said meeting officers shall

5 be elected and thereafterwards at each annual meeting, but
6 in any event all officers duly elected shall hold office until
7 their successors are elected and duly qualified. The annual
8 meeting of said corporation shall be held on the last Satur-
9 day of July in each year.

Sect. 13. This charter may be accepted at any time with-
2 in two years from its approval by the governor, but only
3 one meeting to vote thereon shall be called in any one
4 calendar year. Harry W. Corsman, Carroll A. Deering,
5 William O. Oliver, Augustus Perrow, Laura M. Morse,
6 Frank A. Norton, Ruth H. Farnham and Charles F. Johan-
7 son, or either of them, may call all meetings of the corpora-
8 tion previous to the acceptance of the charter and the elec-
9 tion of officers, and notify the persons entitled to vote
10 therein to meet at some suitable time and place, in said
11 territory, by posting of notices in two public places in said
12 territory seven days at least before the time of holding said
13 meeting; all subsequent meetings shall be called and notified
14 by the overseers as town meetings shall be called and noti-
15 fied by the selectmen; either of the above named persons
16 are authorized to preside at any meeting previous to the
17 acceptance of the charter until the meeting is organized
18 and until a moderator shall have been chosen by ballot
19 and sworn; at all meetings of the corporation a moderator
20 shall be chosen in the manner and with the same power as
21 in town meetings.

Sect. 14. 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 cor-
6 poration at a legal meeting called for that purpose, then
7 the same shall take and have complete effect in all its parts.