

# 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)

---

---

EIGHTY-SECOND LEGISLATURE

---

---

S. P. No. 175

S. D. No. 71

---

---

In Senate, Feb. 12, 1925.

Referred to Committee on Judiciary and 1000 copies ordered printed. Sent down for Concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Maher of Kennebec.

---

---

STATE OF MAINE

---

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

---

AN ACT to Incorporate the Piney Heights Beach and Country  
Club 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 the so-called Gerald Hall farm, a more particular descrip-  
3 tion of which is to be found in the Kennebec County Reg-  
4 istry of Deeds, Book 619, Page 210, and Book 620, Page  
5 318, in the Town of Monmouth, County of Kennebec and  
6 State of Maine, together with the inhabitants therein and  
7 certain stockholders of record in the Piney Heights Beach  
8 and Country Club, Inc., the present owners of the said  
9 above described property, is hereby created a body politic

10 and incorporate by the name of the Piney Heights Beach and  
11 Country Club Village Corporation, which said corporation  
12 is hereafter designated in this Act as "said village," and  
13 said territory so created body politic can be enlarged at any  
14 time by the annexation of any adjacent property in said  
15 Town of Monmouth by a vote of said Town of Monmouth  
16 at any regular or special town meeting in which such pro-  
17 posed annexation appears in the warrant for said meeting.

Sect. 2. The said village corporation is hereby authorized  
2 and vested with the power at any legal meeting called for  
3 the purpose to raise money for the following purposes; To  
4 create and maintain a fire department with all the necessary  
5 equipment, appliances and apparatus for the prevention and  
6 extinguishment of fires; to build, repair and maintain streets,  
7 roads 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 the village which  
10 has been or may hereafter be reserved for and dedicated to  
11 public uses to be enjoyed in common by all the owners of  
12 lots in the village and to that end to build roads and walks  
13 upon and through said public lands and to plant and care  
14 for trees in the roads and streets and upon said public lands;  
15 to build and maintain golf courses, tennis courts and  
16 grounds in common for all other athletic sports; to build,  
17 repair and maintain public wharves and landings; to estab-  
18 lish and maintain police and night watch; to procure water  
19 for fire, domestic and other purposes and to produce or

20 procure light for public use and for the use of inhabitants  
21 of said Village, and for such purposes to contract with any  
22 individual, firm or corporation to furnish such water or  
23 light for either or both of the purposes named, and to es-  
24 tablish reasonable rates to be paid by the inhabitants of the  
25 village using such water or light for domestic purposes; to  
26 purchase ice, coal, wood, lumber, teams and other necessary  
27 supplies and equipment, and employ labor, and to sell such  
28 supplies and furnish such teams and labor for hire to the  
29 members of the village corporation or residents in the vil-  
30 lage, and the overseers of the village corporation may em-  
31 ploy such agents as are necessary to carry out the provi-  
32 sions of this section.

Sect. 3. The Town of Monmouth is hereby relieved from  
2 any and all duty to build, repair or maintain roads, streets  
3 or ways in said village, or to build school houses or main-  
4 tain schools therein or to perform any of the duties for  
5 which said village corporation is authorized by Section 2  
6 of this Act to raise money, and said Town shall not be liable  
7 for defects in streets, ways or roads in said Village nor for  
8 failure to perform any duty from which it is relieved by  
9 this Act, but said village corporation shall assume all of said  
10 duties and be liable for said defects in streets, ways and  
11 roads and for failure to perform the duties assumed as the  
12 Town of Monmouth would have been liable except for this  
13 Act, which liability may be enforced under the same con-

ditions, in the same manner and with the same remedies as  
are provided by law in relation to towns.

Sect. 4. Said village and the overseers thereof shall have  
the same powers and duties in laying out, discontinuing and  
altering town ways in said village which the Town of Mon-  
mouth and the selectmen now have to be exercised and  
performed under the same conditions and limitations and in  
the same manner that they are now exercised and per-  
formed by said town and its selectmen.

Sect. 5. The Town of Monmouth shall annually pay over  
to the Treasurer of said Village out of the taxes collected  
from the inhabitants and estates in said village, a sum equal  
to eighty per cent (80%) of all the taxes committed by the  
Town of Monmouth against any property in said village,  
exclusive of the state and county tax collected from said  
inhabitants and estates, and in no year shall the town of  
Monmouth receive less than one hundred dollars (\$150) as  
such twenty per cent (20%) of such taxes collected.

Sect. 6. All moneys which shall be raised for the purposes  
named in section 2 of this Act or for any other purpose, for  
which the village may lawfully raise money, shall be assessed  
upon the taxable polls and estates embraced within the  
limits of the village by the assessors of the Town of Mon-  
mouth in the same manner as is provided by law for the  
assessment of town and county taxes. For the purposes of  
taxation under this Act, the person or persons entitled to  
the use or occupation of any lot of land in said village shall

10 be deemed to be the owner thereof, and be taxed for said  
11 lot and the improvements, if any, thereon.

Sect. 7. The officers of said village shall be a clerk, who  
2 shall be a resident of this state, a treasurer and five over-  
3 seers, who shall be chosen by ballot, and such other officers  
4 as the by-laws of said village corporation may require.  
5 Said village 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  
11 at any legal meeting of the village in the call for which  
12 notice of the proposed change has been given. The officers  
13 aforesaid shall be sworn before the clerk or a justice of  
14 the peace and the treasurer shall give bond to said village  
15 in such sum as the overseers may direct, which bond shall  
16 be approved by the overseers and clerk.

Sect. 8. Any person who is a legal voter in said village  
2 may be elected or appointed to any office therein, but shall  
3 cease to hold said office whenever he ceases to be such legal  
4 voter, provided, however, that the treasurer of said village  
5 corporation need not be a legal voter.

Sect. 9. Said overseers shall be the general municipal  
2 officers of said village and shall have general charge of its  
3 affairs and of the expenditure of all money therein except

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

Sect. 10. Upon a certificate being filed with the assessors  
2 of the town of Monmouth by the clerk of this village of  
3 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 Monmouth, to assess the total amounts cer-  
8 tified by the clerk of this village upon the polls and estates  
9 of persons residing within the limits of said village, and  
10 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 Monmouth, whose duty it  
13 shall be to collect these same in like manner as county and  
14 town taxes are by law collected, and said collector shall  
15 pay over all moneys collected by him to the treasurer of  
16 said village whenever the overseers shall so direct.

It shall be the duty of the treasurer of said village to  
2 receive all moneys belonging to the village and to pay it  
3 out only upon the written order or direction of the over-  
4 seers and to keep a regular account of all moneys received  
5 and paid out and to exhibit the same to the overseers when-  
6 ever requested, and said town of Monmouth shall have the  
7 same power to direct the mode of collecting said taxes that  
8 it has in the collection of the town taxes, and said collector  
9 shall have the same rights and powers to recover any taxes

10 committed to him under the provisions of this act by suit  
11 that he has for the collection of town taxes committed to  
12 him, and the town of Monmouth shall have the same right  
13 to recover taxes assessed under this act by suit that it has  
14 to recover town taxes assessed therein.

The collector of Monmouth shall be entitled to receive  
2 the same percentage for the collection of taxes assessed  
3 under this act, and the same fees in connection with the  
4 collection thereof, which he receives for the collection of  
5 the town taxes.

Sect. 11. All persons residing in the limits of said vil-  
2 lage who would be legal voters in the town of Monmouth,  
3 and every person of lawful age who owns one or more  
4 shares of stock of the Piney Heights Beach and Country  
5 Club, Inc., or is in possession of one or more lots of land  
6 in said village by virtue of ownership of said stock, shall  
7 be legal voters at any meeting of said village corporation  
8 at which they may be present.

The overseers of said village shall determine who are the  
2 legal voters at any meeting, and shall prepare a list of said  
3 voters at least twenty-four hours before every meeting,  
4 which said list they may amend or correct at any time  
5 before said meeting or during its progress.

The vote upon any proposition at any meeting shall be  
2 taken and checked by this list upon the demand of five legal  
3 voters; provided, however, that every person who by virtue  
4 of a joint ownership of himself and some other person or



5 persons of a share of said stock and by agreement with the  
6 other joint owners, is in possession of a certain aliquot part  
7 of a lot of land in said village upon which he has a dwelling  
8 house owned and controlled by himself exclusively, shall  
9 be deemed a legal voter at any meeting of the corporation  
10 at which he is present, and provided further, that the ma-  
11 jority in interest of the joint owners of any share of stock  
12 may designate in writing one of such owners to represent  
13 such share who shall be a legal voter at any meeting of  
14 the corporation at which he is present, but no person shall  
15 be entitled to more than one vote in any meeting either for  
16 himself or as representing the joint owners of any share  
17 of stock.

Sect. 12. 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 village at which said meeting, officers shall be elected  
5 and thereafterwards 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. The annual meet-  
8 ing of said corporation shall be on the last Saturday of July  
9 in each year.

Sect. 13. This charter may be accepted at any time with-  
2 in five years from its approval by the Governor, but only one  
3 meeting to vote thereon shall be called in any one calendar  
4 year.

Guy E. Flagg may call all meetings of the village corpora-

2 tion previous to the acceptance of the charter and the elec-  
3 tion of officers, and notify the persons entitled to vote there-  
4 in to meet at some suitable time and place in said village by  
5 publishing a notice of said meeting in the Lewiston Evening  
6 Journal at least seven days before such meeting, and by  
7 posting a notice of said meeting at some public place in  
8 said village at least seven days before such meeting. All  
9 subsequent meetings shall be called and notified by the over-  
10 seers as town meetings are called and notified by the select-  
11 men; Guy Flagg, above named person, being authorized to  
12 preside at any meeting previous to the acceptance of the  
13 charter until the meeting is organized and until a moderator  
14 shall have been chosen by ballot and sworn; at all meetings  
15 of the village a moderator shall be chosen in the manner  
16 and with the same power as in town meetings.

Sect. 14. The Piney Heights Beach and Country Club,  
2 Inc., is hereby authorized to sell, convey, lease, or otherwise  
3 dispose of any and all real estate or interests therein which  
4 it now has, to the Piney Heights Beach and Country Club  
5 Village Corporation, and said latter corporation is hereby  
6 authorized to purchase, take title to, lease or otherwise ac-  
7 quire said real estate or interests therein, and to hold, man-  
8 age and control the same for the benefit of said village  
9 corporation, and the members thereof, and for the purpose  
10 of enabling the village corporation to accomplish the objects  
11 for which it was created.

Sect. 15. 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 village corporation for the purpose of vot-  
4 ing upon the acceptance of this charter, and whenever this  
5 charter shall be accepted by a majority of the voters of said  
6 village corporation at a legal meeting called for that pur-  
7 pose, then the same shall take and have complete effect in  
8 all its parts.