

# EIGHTY-THIRD LEGISLATURE

# Senate Document

### No. 119

S. P. 288

In Senate, Feb. 17, 1927.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Douglas of Hancock.

### STATE OF MAINE

# IN THE YEAR OF OUR LORD ONE THOUSAND NINE • HUNDRED AND TWENTY-SEVEN

AN ACT to Incorporate Lucerne-in-Maine Village Corporation.

*Emergency Preamble.* Whereas, the inhabitants of and those who own or are in possession of estates in the territory described in this act exceed two thousand in number; and whereas there is already constructed in said territory a club house, a hotel, many business structures, and over fifty private dwellings all owned by said inhabitants or by those owning or in possession of said estates; and whereas there is continually being constructed in various parts of said territory further private dwellings and other business structures constructed of wood and intended for occupancy; and whereas there are now living within said territory in said buildings and structures already constructed many persons; and whereas through the

spring and summer of the year 1927 there will continue to come to said territory for the purpose of dwelling therein many other persons who own or are in possession of estates therein and visitors; and whereas said territory is largely wild land and heavily forested and subject to forest fires especially through the spring and summer seasons; and whereas said persons that now dwell within said territory and those who shall come through the spring and summer of the year 1927 for the purpose of dwelling within said territory, are dwelling and will dwell therein without any adequate fire or police protection or water supply until this act and the charter provided for therein become effective; and whereas as soon as this act and the charter provided for therein become effective it will permit of work and proceedings thereunder to provide and procure instrumentalities for adequate fire and police protection and water supply, and the construction of roads and ways through said territory over which said instrumentalities may function and be moved from place to place as exigencies may require for the purpose of extending such fire and police protection and water supply to said persons who now dwell and who shall dwell within said territory; and whereas funds for said purposes cannot be obtained unless the revenue provided for in this act are made available thereby; and whereas said funds are necessary as soon as possible, and

Whereas, by reason of the foregoing facts the immediate passage of this act is necessary for the preservation of the public peace, health and safety, and in the judgment of this legislature constitutes an emergency measure within the meaning of the constitution of this state, now therefore,

Be it enacted by the People of the State of Maine, as follows: Section I. Village Corporation created; territorial limits. 2 The territory embraced and included within the following 3 limits, to wit: a certain lot or parcel of land situate in the 4 town of Dedham, county of Hancock and state of Maine, 5 bounded and described as follows, viz: Beginning at a 6 point on the westerly side of the Bangor road, so called, 7 and on the generally northerly line of lot 25 according to 8 a plan of the town of Dedham made by Ira B. Hagan in 9 1913, said lot 25 being formerly owned or occupied by J. 10 Phillips, Jr.; thence westerly on and by the northerly line 11 of said lot 25 forty (40) rods more or less to the generally 12 easterly shore of Phillips Lake; thence northwesterly on 13 and by the generally easterly shore of Phillips Lake one 14 hundred eighty-five (185) rods more or less; thence south 15 74° west nine (9) rods more or less to a now or former 16 large fixed stone where there is now a post; thence north 17 60° west formerly thirty-four (34) rods to a stake and 18 stones; thence north  $13\frac{1}{2}^{\circ}$  west, formerly, forty-five (45) 10 rods and three (3) feet to a stake and stones; thence north 20 54° west formerly six (6) rods to a stake and stones; 21 thence north  $58\frac{1}{2}^{\circ}$  west formerly, thirty-six (36) rods and 22 thirteen and one-half  $(13\frac{1}{2})$  feet to a stake and stones; 23 thence north 35° west formerly, twenty (20) rods to a stake 24 and stones; thence north  $82\frac{1}{2}^{\circ}$  west formerly, eight (8)

25 rods to a stake and stones; thence north 75° west formerly 26 fifty-two (52) rods to a stake and stones on the Bucksport 27 road, so called, said last named stake and stones being six 28 (6) rods and sixteen (16) links south of a stone monu-29 ment standing on the town line between Dedham and 30 Holden; thence northerly on said road to the Miller lot, 31 so called; thence south  $46\frac{1}{2}^{\circ}$  east formerly, six (6) rods; 32 thence north  $43\frac{1}{2}^{\circ}$  east formerly, one hundred four (104) 33 rods to a now or former hemlock tree; thence south 59° 34 east formerly, nineteen (19) rods to a now or former hem-35 lock tree; thence north  $43\frac{1}{2}^{\circ}$  east formerly fifty (50) rods 36 more or less to the generally westerly line of the Bangor 37 road, so called, leading from Bangor to Ellsworth; thence 38 southerly on and by said westerly line of the Bangor road, 39 so called, seventy (70) rods more or less to the division 40 line between lots 56 and 57 according to said plan, extended 41 or continued westerly across said Bangor road; thence 42 about south 81° east on the division line between lots 56 43 and 57 and the continuation thereof one hundred eighty-44 four (184) rods more or less to the generally easterly line 45 of lot 56 according to said plan; thence northerly on and 46 by the easterly line of lot 56 and a road as existed April 47 17, 1844, (see Hancock Registry of Deeds Vol. 78, Page 48 413) leading from land formerly owned or occupied by 49 one Kidder to land formerly owned or occupied by one 50 Thompson, one hundred twelve (112) rods to the northerly 51 line of said lot 56; thence about south 81° east on and by

52 the southerly line of land formerly owned or occupied by 53 one Hall one hundred fifty (150) rods more or less to the 54 southeast corner of said Hall land; thence about south 1° 55 east two hundred twenty (220) rods more or less to the 56 northeasterly corner of lot 24, formerly owned or occupied 57 by F. Frye; thence about north 81° west on the northerly 58 line of said lot 24 and the northerly line of lot 23, two hun-59 dred twenty-two (222) rods more or less to the northwest-60 erly corner of said lot 23 according to said plan; thence 61 southerly on the division line between lots 58 and 23 ac-62 cording to said plan thirty (30) rods more or less to the 63 generally southerly line of said lot 58 according to said 64 plan; thence southwesterly on and by the generally south-65 erly line of said lot 58 and continuation thereof crossing 66 said Bangor road, so called, forty-five (45) rods more or 67 less to a point on the northerly line of lot 59 and the west-68 erly line of said Bangor road according to said plan; thence 69 southerly on and by the generally westerly line of the Ban-70 gor road, so called, one hundred sixty (160) rods more or 71 less to the bounds begun at.

The above parcel of land comprises the following lots con-2 veyed to Harold M. Saddlemire by Hillard C. Schoppe by 3 deed dated July 15, 1925, recorded in Hancock Registry of 4 Deeds Vol. 596, Page 12, viz: Parcel I. Fitt's Mill lot, so-5 called, containing 100 acres more or less. Parcel 2. Lot 57 6 according to John Temple's survey of 1831, called the Moun-7 tain lot, being also lot 57, according to said Hagan's plan,

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8 containing 62 acres more or less. Parcel 3. Lot 58 ac 9 cording to said Temple's survey and also Hagan's plan, con-10 taining 38 acres more or less. Parcel 4. Lot 59 according 11 to said Temple's survey and also Hagan's plan, containing 40 12 acres more or less. Parcel 5. Lot 23 and lot to the east 13 of lot 56 according to said Temple's survey and also Ha-14 gan's plan, known as the Mann lots, containing 275 acres 15 more or less.

Excepting and reserving, however, from the above de-2 scribed premises, so much of the Bangor road, so-called, 3 leading from Bangor to Ellsworth, as lies within the bounds 4 of or adjoins the above described land or any part thereof. 5 Also excepting and reserving from the above described 6 premises so much of the Cemetery lot as lies within the 7 bounds of lot 59 and the Fitt's Mill lot, so-called, according 8 to said plans above referred to.

Also another certain lot or parcel of land situate in the 2 town of Dedham, county of Hancock and State of Maine, 3 bounded and described as follows, viz: Beginning at a point 4 in the easterly line of the road leading from Bangor to 5 Ellsworth, commonly known as the Bangor road, and on 6 the generally southerly line of Dutton (or John P. Web-7 ber) lot, so-called, thence about south 81 degrees east two 8 hundred eighty-seven (287) rods more or less to a stake 9 and stones; thence about north 9 degrees east three hun-10 dred twenty (320) rods more or less to a stake and stones 11 on the north line of the seventh range; thence about south

12 81 degrees east following the north line of the seventh range 13 sixty (60) rods more or less to the westerly line of the 14 third parcel of land conveyed by one Arey et. als., to the 15 grants by deed dated June 4, 1868, recorded in Hancock 16 Registry of Deeds Vol. 129, Page 520, said westerly line 17 being an irregular line following the summit of a ridge di-18 viding the Mountain Pond water shed from the Green Lake 19 (or Reed's Pond) water shed; thence northerly following 20 said irregular line two hundred ninety-one (291) rods more 21 or less to the generally southeasterly corner of the Stock-22 well lot, so-called, according to a plan of the town of Ded-23 ham made by Ira B. Hagan in 1913; thence about north 24 9 degrees east on the westerly line of lot 15 and lot 14 ac-25 cording to said Hagan plan, one hundred forty (140) rods 26 more or less to the division line between lots 9 and 10, ac-27 cording to said plan; thence about north 81 degrees west 28 following the division line between lots 9 and 10 according 29 to said plan one hundred sixty (160) rods more or less to 30 the southwesterly corner of lot 10; thence about north 9 31 degrees east following the generally westerly line of lots 32 10 and 11 eighty (80) rods more or less to the southwester-33 ly corner of lot 12 and the southeasterly corner of lot 13, 34 according to said plan; thence about north 81 degrees west 35 on and by the southerly line of lot 13 and lot 7 one hun-36 dred twenty-five (125) rods more or less to the northwest-37 erly corner of lot I and the northeasterly corner of lot 2 ac-38 cording to said plan; thence about south 9 degrees west fol39 lowing the division line between lots 1 and 2, according to 40 said plan one hundred sixty (160) rods more or less to the 41 northerly line of the Stockwell lot, so-called, according to 42 said plan; thence about north 81 degrees west following the 43 northerly line of said Stockwell lot and the southerly line 44 of lots 2, 3 and 4 all according to said plan one hundred 45 twenty (120) rods more or less to the generally easterly 46 line of lot 26 according to said plan, formerly owned or 47 occupied by J. Phillips, Jr., and now owned or occupied 48 by John Hill; thence southerly following the generally east-49 erly line of lot 26 and the generally easterly line of lot 27, 50 said lot 27 being formerly owned or occupied by William 51 Phillips, one hundred twenty-one (121) rods more or less 52 to the southeasterly corner of said lot 27 according to said 53 plan; thence about north 81 degrees west on and by the 54 generally southerly line of lot 27 according to said plan 55 two hundred thirty-eight (238) rods more or less to the 56 generally westerly line of the Bangor road, so-called, lead-57 ing from Bangor to Ellsworth; thence northerly on and by 58 the westerly line of the Bangor road, so-called, sixty (60) 59 rods more or less to the northerly line of said lot 27, ac-60 cording to said plan; thence westerly on the northerly line 61 of lot 27 to the generally easterly shore of Phillips Lake; 62 thence southerly on and by the generally easterly shore of 63 Phillips Lake seven hundred (700) rods more or less to 64 the northerly line of the ninth range; thence about south 81

65 degrees east on and by the northerly line of said ninth range 66 seventy (70) rods more or less to the point of beginning.

The above last described parcel of land comprises the fol-2 lowing lots of land conveyed to Harold M. Saddlemire as 3 follows: Shirley M. Sweet to Harold M. Saddlemire by 4 deed dated November 20, 1925, recorded in Hancock Reg-5 istry of Deeds, Vol. 597, Page 561; George E. Langley to 6 Harold M. Saddlemire by deed dated September 19, 1925, 7 recorded in said registry Vol. 596, Page 371; and the fol-8 lowing lots of land conveyed to Harold M. Saddlemire by 9 Hillard C. Schoppe as appears in deed dated July 15, 1925, 10 recorded in said registry Vol. 596, Page 12, viz: Parcel 25. 11 The Freese lot, so-called, lying westerly of the Bangor road, 12 bounded northerly by the Lake House lot and southerly by 13 the north line of the ninth range and north line of lot I 14 and the north line of lot 2, said lots being situate southerly 15 and easterly of Phillips Lake, containing 88 acres more or 16 less. Parcel 26. The Dutton or John P. Webber lot, con-17 taining 718 acres more or less. Parcel 27. Being part of 18 Wilkes part of the Winslow Tract, so-called, lying east of 19 the Bangor road, so-called, bounded southerly by the Dut-20 ton or John P. Webber lot, so-called, containing 800 acres 21 more or less. Parcel 28. Being lot 28 according to said 22 plan, formerly owned by Peter Phillips and containing 46 23 acres more or less. Parcel 29. Parcel of land lying east-24 erly of and southerly of lot 28 according to said plan, bound-25 ed westerly in part by the Bangor road, so-called, contain-

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26 ing 100 acres more or less. Parcel 30. The Stockwell lot, 27 so-called, according to said plan, bounded southerly by the 28 Wilkes part of the Winslow tract, containing 165 acres 29 more or less. Parcel 31. Comprises Public lot 1, bounded 30 southerly by the Stockwell lot and easterly by the Hath-31 away lot, containing 45 acres more or less. Parcel 32. Com-32 prises Public lots 8 and 9, bounded westerly by the Hath-33 away lot, southerly by the Stockwell lot, so-called, easterly 34 by lots 14 and 15, according to said plan, said lots contain-35 ing together 80 acres more or less. Parcel 33. Being the 36 Hathaway lot, so-called, containing 80 acres more or less 37 bounded easterly by the westerly line of Public lots 8, 9, 10 38 and 11, southerly by the Stockwell lot, so-called. Parcel 34. 39 Lake House property, so-called, lying on the westerly side 40 of the Bangor road, so-called, and extending to Phillips 41 Lake, containing 89 acres more or less. Parcel 36. The 42 last described parcel of land in said deed from Schoppe to 43 Saddlemire, containing 10 acres more or less.

Excepting and reserving from the above described prem-2 ises the following described parcel of land conveyed by 3 Arno G. Hooper to Parker and Pearl by deed dated May 25, 4 1892, recorded in said registry Vol. 263, Page 296, said 5 Parker and Pearl land being commonly known as Pearl 6 Point. Also excepting and reserving from the above de-7 scribed premises a parcel of land conveyed by Vondel L. 8 Hooper and Ernest W. Burrill to Arno G. Hooper by deed 9 dated September 9, 1921, recorded in said registry Vol. 562, 10 page 259, said parcel of land contains 6 acres, more or less. 11 Also excepting and reserving from the above described 12 premises the following cottage lots, as excepted in a deed 13 from George E. Langley to Harold M. Saddlemire dated 14 September 19, 1925, viz: a strip of land sixty (60) feet in 15 width southerly of and adjoining the north line of said par-16 cel and extending from Phillips Lake to the westerly line 17 of the location of the Maine Shore Line (or Maine Cen-18 tral) Railroad; also a small cottage lot conveyed by Corne-19 lius Daley to Irving Doyle by deed dated July 2, 1917, re-20 corded in said registry Vol. 535, Page 546; also a small 21 cottage lot conveyed by Cornelius Daley to William E. Irish 22 by deed dated July 2, 1917, recorded in said registry, Vol. 23 535, Page 547, also a parcel of land conveyed by George 24 E. Langley to Joseph E. Drinkwater by deed dated May 8, 25 1924, recorded in said registry, Vol. 596, Page 343. The 26 last four lots excepted and reserved as aforesaid are small 27 cottage lots lying between the westerly shore of Phillips 28 Lake and the westerly line of the location of the Maine 29 Shore Line (or Maine Central) Railroad, so-called. Also 30 excepting and reserving from the above described premises 31 a small cottage lot lying between the westerly shore of Phil-32 lips Lake and the westerly line of the location of the Maine 33 Shore Line (or Maine Central) Railroad, see deed from 34 Hooper to Rideout recorded in said registry, Vol. 400, page Also excepting and reserving, however, from the 35 282. 36 above described premises, so much of the Bangor road, so37 called, leading from Bangor to Ellsworth as lies within the 38 bounds of or adjoins the above described premises or any 39 part thereof.

Also another certain lot or parcel of land situate in the 2 town of Dedham, county of Hancock and State of Maine, 3 bounded and described as follows, viz: beginning at a point 4 on the easterly line of the road leading from Bangor to 5 Ellsworth, commonly known as the Bangor road, and on 6 the generally southerly line of Dutton (or John P. Web-7 ber) lot, so-called, said southerly line also being the north-8 erly line of the Ninth range in the town of said Dedham; 9 thence about south 81 degrees east two hundred eighty-10 seven (287) rods more or less to a stake and stones; thence 11 about south 9 degrees west following the easterly line of 12 the John P. Phillips meadow lot, so-called, containing two 13 hundred (200) acres more or less and being parcel 35 as 14 appears in deed from Hillard C. Schoppe to Harold M. 15 Saddlemire dated July 15, 1925, recorded in the Hancock 16 Registry of Deeds, Vol. 596, page 12, one hundred sixty 17 (160) rods more or less to a stake and stones at the south-18 easterly corner of said Phillips meadow lot, so-called; thence 19 about north 81 degrees west on the southerly line of said 20 Phillips meadow lot, so-called, and the northerly line of a 21 lot of land formerly owned or occupied by M. Mann about 22 three hundred twenty (320) rods more or less to the north-23 westerly corner of said M. Mann lot; thence about south 24 9 degrees west on the westerly line of the M. Mann lot,

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25 so-called, one hundred (100) rods more or less to the south-26 west corner of said Mann lot, being the southeasterly cor-27 ner of the Jarvis or Webber lot, so-called, according to a 28 plan of the town of Dedham made by Ira B. Hagan in 1913; 29 thence southeasterly on the generally southerly line of the 30 M. Mann lot, so-called, and on the northerly line of the 31 Robert Johnson forty-eight acre lot, so-called, one hun-32 dred four (104) rods more or less to the northeasterly cor-33 ner of said Johnson lot; thence south 15 degrees east for-34 merly, eighty-eight (88) rods more or less to the southeast-35 erly corner of said Johnson forty-eight acre lot and the 36 northerly line of the Johnson fifty acre lot, so-called, thence 37 about south 81 degrees east on the northerly line of the 38 Johnson fifty acre lot, so-called, fifty (50) rods more or 39 less to the northeasterly corner thereof; thence southerly 40 on and by the easterly line of the Johnson fifty acre lot, so-41 called, one hundred seventy-five (175) rods more or less 42 to the southeasterly corner thereof; thence westerly follow-43 ing the southerly line of the said Johnson fifty acre lot fifty 44 (50) rods more or less to the easterly side of the Bangor 45 road, so-called, leading from Bangor to Ellsworth; thence 46 northerly on and by the easterly line of the Bangor road, 47 so-called, one hundred twenty-five (125) rods more or less 48 to the southerly line of the Wilkes lot, so-called, continued 49 in an easterly direction across said Bangor road, said Wilkes 50 lot contains five hundred six (506) acres more or less ac-51 cording to said Hagan plan above referred to and is marked

52 (Wilkes Heirs) on said plan; thence about north 81 de-53 grees west on the southerly line of the Wilkes lot, so-called, 54 and the continuation thereof six hundred (600) rods more 55 or less to the westerly line of the third parcel of land de-56 scribed in a deed from Humphrey, Saunders et. als. to C. 57 C. Camber dated April 27, 1898, recorded in said registry, 58 Vol. 330, page 301; thence northerly in the westerly line 59 of said third parcel so conveyed by Saunders to Camber 60 and on and by the westerly line of the first parcel so con-61 veyed by Saunders to Camber two hundred twenty-eight 62 (228) rods more or less to the southerly line of a parcel of 63 land twenty (20) rods in width lying southerly of adjoin-64 ing lots 6 and 7, said lots 6 and 7 lying southerly and west-65 erly of Phillips Lake according to said plan, said twenty 66 (20) rod strip being bounded easterly by the Jarvis or 67 Webber lot, so-called, said twenty (20) rod strip being par-68 cel 16 as appears in deed from Hillard C. Schoppe to Har-69 old M. Saddlemire by deed dated July 15, 1925, recorded in 70 Hancock Registry of Deeds, Vol. 596, page 12; thence 71 about north 81 degrees west on the southerly line of said 72 twenty (20) rod strip eighty-four (84) rods more or less 73 to the westerly line of lot 7 according to said plan pro-74 duced southerly from the southwest corner of lot 7; thence 75 about north 9 degrees east on the westerly line of said lot 76 7 and continuation thereof one hundred (100) rods more 77 or less to the northwesterly corner of said lot 7, thence

78 about south 81 degrees east on and by the division line be-79 tween lots 7 and 8 according to said plan one hundred (100) So rods more or less to the northeast corner of lot 7 and the 81 easterly line of lot 5 according to said plan; thence norther-82 ly on and by the division line between lots 5 and 8 accord-83 ing to said plan seventy-five (75) rods more or less to the 84 northwesterly corner of lot 5 and the southerly line of lot 85 12 according to said plan now owned or occupied by 86 Michael Quinn; thence easterly on the division line between 87 lots 5 and 12 according to said plan fifty-eight (58) rods 88 more or less to the division line between lots 12 and 13 89 according to said plan; thence northerly on the division line 90 between said lots 12 and 13 eighty-one (81) rods more or 91 less to the corner formed by lots 12, 13, 14 and the Fitts fifty 92 acre lot, so-called; thence westerly on the northerly line of 93 said lot 12 and the southerly line of the Fitts fifty acre lot 94 according to said plan one hundred (100) rods more or 95 less to the northwesterly corner of said lot 12 and the east-96 erly line of lot 11 according to said plan; thence northerly 97 on the easterly line of said lot 11 sixteen (16) rods more 98 or less to the northeasterly corner of said lot II; thence 99 westerly on the northerly line of lot 11 and lot 9 according 100 to said plan one hundred ten (110) rods more or less to 101 the northwesterly corner of lot 9 and the southwesterly 102 corner of lot 10 according to said plan; thence northwest-103 erly on the northerly line of a parcel of land formerly 104 owned or occupied by Asa Burrill thirty-seven (37) rods

105 more or less to Allen Brook, so-called; thence northeaster-106 ly along said Allen Brook two hundred twenty-five (225) 107 rods more or less to the southwesterly corner of the 108 twelfth parcel of land described in a deed from Ella L. 109 Burrill to John C. McFaul et. als. dated April 26, 1917, 110 recorded in said registry Vol. 535, page 260; thence con-111 tinuing northeasterly along said Allen Brook seventy-five 112 (75) rods more or less to a spotted spruce tree on said 113 Allen Brook; thence northeasterly fifteen (15) rods more 114 or less to a cedar stake; thence northeasterly seventy-five 115 (75) rods more or less to the outlet of Hurd Pond, so-116 called, thence westerly following the northerly shore of 117 Hurd Pond so-called, sixty (60) rods more or less to the 118 southwesterly corner of lot 5 according to said plan, said 119 lot 5 lying northerly of and adjoining Hurd Pond, also 120 lying westerly of and adjoining the southerly end of the 121 narrows of Phillips Lake; thence north 42 degrees east for-122 merly on and along the westerly side of said lot 5 one hun-123 dred nineteen (119) rods more or less to the northwester-124 ly corner of lot 5 and the southerly line of lot 7; thence 125 about north 70 degrees west on the southerly line of lot 126 7 and on the southerly line of lot ninety-three (93) rods 127 more or less to the northwesterly corner of the west half 128 of lot 4 and an angle in the southerly line of lot 8 accord-129 ing to said plan; thence about north 20 degrees east for-130 merly sixty-five (65) rods more or less to a stake and 131 stones; thence about south 70 degrees east one hundred 132 sixty (160) rods more or less to the generally westerly 133 shore of Phillips Lake; thence in a generally southerly and 134 easterly direction following the westerly and southerly 135 shore of Phillips Lake and thereafter the northerly line 136 of the Ninth Range, sixteen hundred fifty (1650) rods 137 more or less to the bound begun at. Also all the islands 138 in Phillips Lake, containing 50 acres more or less and be-139 ing parcel 24 as appears in a deed from Hillard C. Schoppe 140 to Harold M. Saddlemire dated July 15, 1925, recorded in 141 said registry Vol. 596, page 12.

The above last described parcel of land comprises the fol-2 lowing lots of land conveyed to Harold M. Saddlemire as 3 follows: Edgar Dauphinee to Harold M. Saddlemire, two 4 parcels of land lying westerly of and adjoining Phillips 5 Lake by deed dated Nov. 21, 1925, recorded in said regis-6 try Vol. 597, Page 563; Charles W. Meade to Harold M. 7 Saddlemire by deed dated Mar. 17, 1926, recorded in said 8 registry Vol. 601, Page 103, said lots lying westerly of 9 and adjoining the westerly lines of the Jarvis or Webber 10 lot and the Wilkes lot according to Hagan's plan above 11 referred to; George R. Hagerthy to Harold M. Saddle-12 mire by deed dated Feb. 2, 1926, recorded in said registry 13 of Deeds Vol. 599, Page 397, this deed conveys the north-14 easterly half part of a parcel of land lying on the westerly 15 shore of Phillips Lake, said whole lot containing one hun-16 dred twenty-five (125) acres more or less. Also the fol17 lowing lots of land conveyed to Harold M. Saddlemire by 18 Hillard C. Schoppe as appears in a deed dated July 15, 19 1925, recorded in said registry Vol. 596, Page 12. Parcel 6. 20 Lot 5 lying north of Hurd Pond and west of Phillips Lake, 21 containing 57<sup>1</sup>/<sub>4</sub> acres more or less. Parcel 7. Lot 6 lying 22 on the westerly side of Phillips Lake at the southerly end 23 of the narrow part of said lake northerly of and adjoining 24 Hurd Brook, so-called, containing 65 acres more or less. 25 Parcel 8. Lot known as the Chase lot, lying northerly of 26 and adjoining lots 5 and 4 according to said Hagan's plan, 27 containing 70 acres more or less. Parcel 9. Lying west-28 erly of and adjoining the Bangor Road, so-called, being 29 all or a portion of lot I according to said Hagan's plan, near 30 the southeasterly end of Phillips Lake, containing 691/2 31 acres more or less. Parcel 10. Lying westerly of and ad-32 joining lot I above mentioned, bounded southerly by the 33 Jarvis or Webber lot, so-called, northerly and westerly by 34 Phillips Lake, being lot 2 according to said Hagan's plan, 35 containing 127 acres more or less. Parcel 11. Lying west-36 erly of and adjoining lot 2, above mentioned, bounded south-37 erly by the Jarvis or Webber lot, so-called, and northerly 38 by the most southerly part of Phillips Lake, being lot 3 39 according to said Hagan's plan, containing 68 acres more 40 or less, according to said plan. Parcel 12. Lying westerly 41 of and adjoining lot 3, above mentioned, bounded southerly 42 by the Jarvis or Webber lot, so-called, and easterly by 43 Phillips Lake, being lot 4 according to said Hagan's plan.

44 containing 53 acres more or less. Parcel 13. Bounded 45 easterly by lot 4 and southerly by lot 6, being lot 5 accord-46 ing to said Hagan's plan, containing 53 acres more or less. 47 Parcel 14. Bounded easterly by lot 4 and southerly in part 48 by the Jarvis or Webber lot, so-called, being lot 6 accord-49 ing to said Hagan's plan, containing 47 acres more or less. 50 Parcel 15. Lying westerly of and adjoining lot 6, bounded 51 southerly by the Settler's lot, so-called, northerly by lot 8, 52 being lot 7 according to said Hagan's plan, containing 50 53 acres more or less. Parcel 16. Bounded northerly by lots 54 6 and 7 according to said Hagan's plan easterly by the 55 Jarvis or Webber lot, so-called, being a parcel of land twenty 56 (20) rods in width lying between the Jarvis and Webber 57 lot and the westerly line of lot 7, produced south. Parcel 58 17. Bounded easterly by Phillips Lake southerly by lots 59 4 and 5, westerly by lot 12, now owned or occupied by 60 Michael Quinn, being lot 13, according to said Hagan's 61 plan, containing 54 acres more or less. Parcel 18. Bounded 62 southerly by said lot 13, easterly and northerly by Phillips 63 Lake, being lot 14 according to said Hagan's plan, con-64 taining 62 acres more or less. Parcel 19. Bounded east-65 erly by Phillips Lake and lot 14, above referred to, south-66 erly by lot 12 now owned or occupied by Michael Quinn, 67 westerly by lot 10, being the Fitts 50 acre lot, so-called, 68 marked (Fitts 50 acres flowed land W & E) on said Hagan's 69 plan, containing 50 acres more or less. Parcel 20. The 70 Jarvis or Webber lot, so-called, bounded easterly by the

71 Mann lot, so-called, southerly by the Wilkes lot, so-called, 72 according to said Hagan's plan, containing 290 acres more 73 or less. Parcel 21. The Wilkes lot, so-called, lying south-74 erly of and adjoining the Jarvis or Webber lot, so-called, 75 bounded easterly by the Johnson lot, so-called, and the 76 Bangor Road, and southerly by a parcel of land now or 77 formerly owned or occupied by the Bacon & Robinson Wood 78 Co., containing 506 acres more or less and being all in 79 accordance with said Hagan's plan. Parcel 22. Being the 80 northerly parcel of land of the Johnson property, so-called, 81 bounded northerly by the Mann lot, so-called, westerly by 82 the Wilkes lot, so-called, and southerly in part by the Wilkes 83 lot, so-called, containing 48 acres more or less. The Bangor 84 Road passes through the easterly side of said lot and lot is 85 marked (Johnson W & E) on said Hagan's plan. Parcel 86 23. Lying easterly of and adjoining the Bangor Road, so-87 called, bounded northerly in part by the last above described 88 parcel of land containing 50 acres more or less. The road 89 to Green Lake crosses this lot according to said Hagan's 90 plan. Parcel 24. All the islands in Phillips Lake, contain-91 ing 50 acres more or less. Parcel 35. Lying easterly of 92 and adjoining the Bangor Road, bounded northerly by the 93 Dutton or John P. Webber lot, and the northerly line of 94 the Ninth Range in said Dedham, containing 200 acres 95 more or less commonly known as the John P. Phillips 96 meadow lot.

Excepting and reserving, however, from the above de-

2 scribed premises all that part of the Bangor Road, so-called, 3 leading from Bangor to Ellsworth, as lies within the bounds 4 of, or adjoins the above described premises or any part 5 thereof. Also excepting and reserving from the above de-6 scribed premises the southwesterly half of parcel 12 as 7 appears in a deed from Ella L. Burrill to John C. McFaul 8 et als. dated April 26, 1917, recorded in said registry Vol. 9 535, Page 260, the whole of lot 12 is estimated to contain 10 125 acres more or less. Also excepting and reserving from II the above described premises, out of the parcel of land 12 conveyed by Edgar Dauphinee to Harold M. Saddlemire, 13 two cottage lots, lying westerly of and adjoining the west-14 erly shore of Phillips Lake as follows, Edgar Dauphinee to 15 Doris C. Treat by deed dated July 13, 1925, recorded in 16 said registry Vol. 595, Page 259, Edgar Dauphinee to Joseph 17 Lunt by deed dated July 1, 1922, recorded in said registry 18 Vol. 597, Page 323. Also excepting and reserving from 19 the above described premises, out of the parcel of land con-20 veyed by George R. Hagerthy to Harold M. Saddlemire the 21 following cottage lots situated on and adjoining the westerly 22 shore of Phillips Lake as follows: George R. Hagerthy to 23 C. M. Rogers by deed dated Dec. 21, 1920, recorded in said 24 Registry Vol. 558, Page 190; George R. Hagerthy et als. 25 to David N. Beach by deed dated Dec. 7, 1921, recorded 26 in said registry Vol. 564, Page 300.

Also excepting and reserving from the above described 2 premises, a certain cottage lot lying on and adjoining the

3 westerly shore of Phillips Lake conveyed by Hadley P. 4 Burrill to Joseph Lunt by deed dated Dec. 26, 1913, recorded 5 in said registry Vol. 533, Page 530.

Also excepting and reserving from the above described 2 premises a certain cottage lot situate on and adjoining the 3 westerly shore of Phillips Lake conveyed by Ella L. Burrill 4 to Percy Sawyer by deed dated Jan. 17, 1917, recorded in 5 said registry Vol. 537, Page 57.

It is intended by the above description to include all that 2 territory within the radius of the extreme points therein 3 described in respect to each parcel of land therein described, 4 as each such parcel of land is therein described.

Said territory above described embraced within the limits 2 above described but not including such premises as are spe-3 cifically reserved and excepted by and in the above descrip-4 tion, together with such other land in said town of Dedham 5 adjacent and contiguous to any portion of the above de-6 scribed territory, which may hereafter be purchased by Lu-7 cerne-in-Maine Community Association, a Maine corpora-8 tion; together with the inhabitants within said corporate 9 territory as described and designated herein; and certain 10 owners and proprietors of real estate therein, as herein-11 after specified, is hereby created a body politic and corpo-12 rate, by the name of Lucerne-in-Maine Village Corpora-13 tion, with all the rights and privileges granted by the laws 14 of the state of Maine to similar corporations.

Sect. 2. Purposes for which corporation may raise money 2 and make contracts. Said corporation is hereby authorized 3 and vested with the power at any legal meeting called for 4 the purpose to raise money for the following purposes, 5 namely: To create and maintain a fire department with all 6 necessary equipment, appliances and apparatus for the pre-7 vention and extinguishment of fires; to build, repair and 8 maintain roads, streets, ways and bridges, sidewalks, sewers 9 and other sanitary works, including the collection and re-10 moval of offal, garbage and other waste material; to care II for and beautify any portion of the corporate territory 12 which has been or may hereafter be reserved for and dedi-13 cated to public uses to be enjoyed in common by all the 14 owners of estates in said territory and to that end to build 15 roads and walks upon and through said common lands and 16 in general to beautify same; to build, repair and maintain 17 wharves, landings and bathing beaches; to build and main-18 tain golf courses, tennis courts and grounds for all other 19 athletic sports for use in common by all owners of real 20 estate within the boundaries of said corporate territory; 21 to establish and maintain police and night watch; to pro-22 cure water for fire, domestic and other purposes and to 23 produce or procure light for public use and for the use of 24 the inhabitants of said territory, and for such purposes to 25 contract with any individual, firm or corporation to fur-

26 nish such water or light for either or both of the purposes 27 named and to establish reasonable rates subject to approval 28 by the public utilities commission, to be paid by the inhab-29 itants of said territory using such water or light for do-30 mestic purposes, if produced by said corporation herein cre-31 ated; to construct, maintain and operate telephone and tele-32 graph lines or to aid in such construction, maintenance and 33 operation and to that end and for that purpose to contract 34 with any corporation, firm or individual therefor; to pur-35 chase ice, coal, wood, lumber, teams and other necessary 36 supplies and equipment and employ labor, and to sell such 37 supplies and furnish such teams and labor for hire to the 38 members of the village corporation or residents in said ter-30 ritory; to license entertainments of a character not for-40 bidden by law, and to forbid the same when, in the judg-41 ment of the overseers, such entertainment is a nuisance or 42 is immoral; to make and enforce rules and regulations for 43 the maintenance of order, and the protection of corporate 44 property; to defray any and all other necessary or proper 45 corporate charges; to defray the expense of such agents 46 as the overseers of the village corporation may employ as 47 necessary to carry out the provisions of this section.

Sect. 3. Town of Dedham relieved from certain duties 2 and liabilities and village corporation to assume same. The 3 town of Dedham, in said county of Hancock, is hereby re-4 lieved from any and all duty to build, repair or maintain 5 roads, streets or ways upon said territory, or within its

6 limits, or to build school houses or to maintain schools 7 thereon or therein, except that any school children residing 8 within the corporate limits of said village corporation shall 9 have the right to attend school in the town of Dedham, or 10 to perform any of the duties for which said village cor-II poration is authorized by section two of this act to raise 12 money, and said town shall not be liable for defects in 13 streets, ways or roads in said village corporation's territory 14 nor for failure to perform any duty from which it is re-15 lieved by this act, but said village corporation shall assume 16 all of said duties and be liable for said defects in said 17 streets, ways and roads and for failure to perform the 18 duties assumed as the town of Dedham would have been 10 liable except for this act, which liability may be enforced 20 under the same conditions, in the same manner and with 21 the same remedies as are provided by law in relation to 22 towns. Neither this section or any of the provisions of 23 this act shall in any manner be construed to impose on said 24 village corporation any duty or responsibility concerning 25 or with respect to the building, repair or maintenance of 26 the main state highway extending between Bangor, Maine, 27 and Ellsworth, Maine, or to in any manner relieve the town 28 of Dedham from the duties, responsibilities and liabilities 29 with respect thereto, as existed prior to the passage of this 30 act and which would exist thereon if this act had not been 31 passed.

Sect. 4. Corporation to have same powers and duties rela-

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2 tive to town ways as town of Dedham now has. Said vil-3 lage corporation and the overseers thereof shall have the 4 same power and duties in laying out, discontinuing and 5 altering public ways in said corporation territory which the 6 town of Dedham and the selectmen thereof now have, to 7 be exercised and performed under the same conditions and 8 limitations and in the same manner that they are now ex-9 ercised and performed by said town and its selectmen, in-10 cluding the right and power to construct, repair and main-11 tain such additional ways, streets and sidewalks as said 12 overseers may consider proper and necessary for the pur-13 poses of the village corporation, and to construct and main-14 tain a bridge across Phillips Lake, in said Dedham, north-15 erly of Pearl Point so called.

Sect. 5. Apportionment of taxes between town and cor-2 poration. The town of Dedham shall annually pay over 3 to the treasurer of said village corporation out of the taxes 4 collected from the inhabitants and estates within said cor-5 poration's territory a sum equal to seventy-five per centum 6 of all the town taxes, exclusive of the state and county 7 tax, collected from said inhabitants and estates. This pro-8 vision shall commence to and shall effect the apportionment 9 of said taxes, as above provided, assessed for the year 1927, 10 provided this charter shall be accepted in accordance with 11 section nineteen hereof; in which event such payment shall 12 be made by the town of Dedham to said village corporation 13 within the calendar year 1927. Sect. 6. Taxes to be assessed by assessors of Dedham; 2 persons entitled to use of land may be assessed as owners. 3 All moneys which shall be raised for the purposes named 4 in section two of this act or for any other purpose for which 5 the corporation may lawfully raise money, shall be assessed 6 upon the taxable polls and estates embraced within the 7 limits of said corporation's territory by the assessors of 8 the town of Dedham in the same manner as is provided by 9 law for the assessment of town and county taxes. For the 10 purpose of taxation under this act the person or persons 11 entitled to the use or occupation of any lot of land within 12 the limits of said corporation's territory may be deemed 13 the owner thereof and be taxed for said lot and the im-14 provements, if any, thereon.

Sect. 7. Officers of corporation; authorized to adopt by-2 laws; officers to be sworn; treasurer to give bond. The 3 officers of said corporation shall be a board of three over-4 seers who shall be elected annually at the annual meetings 5 of the village corporation by ballot, a president, a treasurer 6 and a clerk, and such other officers as the by-laws of said 7 corporation may require. The three overseers when elected 8 as above provided shall forthwith proceed to elect a presi-9 dent, treasurer and clerk. The treasurer and clerk must 10 be residents of the state of Maine. The president, treas-11 urer and clerk may be elected by the overseers from their 12 own number. Said corporation is empowered to adopt at 13 any legal meeting called for that purpose a code of by14 laws for the proper management of its business affairs and 15 other purposes connected therewith, provided said by-laws 16 are not repugnant to the laws of the state of Maine. Such 17 code of by-laws may be amended or altered at any legal 18 meeting of the corporation in the call for which notice of 19 the proposed change has been given. The officers afore-20 said shall be sworn before a justice of the peace and the 21 treasurer shall give bond to said corporation in such sum 22 as the overseers may direct, which bond shall be approved 23 by the overseers.

Sect. 8. *Eligibility of officers*. Any person who is a legal 2 voter in said corporation may be elected or appointed to 3 any office therein, but shall cease to hold said office whenever 4 he ceases to be such legal voter.

Sect. 9. President to preside; deciding vote in case of 2 tie. The president, if present, shall preside over all of the 3 meetings of the board of overseers, and in case of a tie 4 shall cast the deciding vote. He shall perform such other 5 duties as may be provided in the by-laws or from time to 6 time delegated by the board of overseers. In the absence 7 of the president, a chairman shall be elected to preside.

Sect. 10. Overseers shall be municipal officers. The over-2 seers shall be the general municipal officers of said village 3 corporation and shall have general charge of its affairs and 4 of the expenditure of all of its moneys, except so far as 5 the same may be committed to other officers or persons.

Sect. 11. Annual meeting; procedure for assessment and

2 collection of taxes of corporations; duties of treasurer of 3 corporation respecting receipt and disbursement of funds. 4 Each and every year an annual meeting shall be held within 5 the territorial limits of the village corporation on the third 6 Saturday of February at which a majority of the legal 7 voters there assembled shall determine the amount of money 8 to be raised for the corporate purposes during and for that 9 year. A certificate signed by the president and attested by 10 the clerk shall thereupon, and before the annual meeting II of the town of Dedham, be filed with the assessors of the 12 town of Dedham, which certificate shall recite the amount 13 of money to be raised in accordance with the vote of the 14 said meeting of the village corporation. It shall be the duty 15 of said assessors or their successors in office, at the time 16 of the annual assessment of town and county taxes for that 17 year in said town of Dedham to assess the total amounts 18 shown by such certificate upon the polls and estates of 10 persons residing within the limits of said corporation's ter-20 ritory and upon the estates of non-resident owners and pro-21 prietors thereof located therein and to certify and deliver 22 the lists of the assessments so made to the collector of the 23 town of Dedham, whose duty it shall be to collect the same 24 in like manner as county and town taxes are by law col-25 lected and said collector shall pay over all such moneys 26 collected by him to the treasurer of the village corporation 27 whenever the overseers thereof shall so direct. The col-28 lector shall also deliver to said treasurer a list of such as-

29 sessments. It shall be the duty of the treasurer of the 30 village corporation to receive all moneys belonging to the 31 corporation and to pay it out only upon the written order 32 or direction of the overseers, and to keep regular accounts 33 of all moneys received and paid out and to exhibit the same 34 to the overseers whenever requested. The town of Ded-35 ham shall have the same powers relative to the collection 36 of taxes within said corporation's limits as it has in the 37 collection of town taxes, and said collector shall have the 38 same rights and powers to collect and recover any taxes 39 committed to him under the provisions of this act by suit 40 or otherwise that he has for the collection of town taxes 41 committed to him and the town of Dedham shall have the 42 same right to recover and collect town taxes assessed there-43 in. The collector of the town of Dedham shall be entitled 44 to receive the same percentage for the collection of taxes 45 assessed under this act and the same fees in connection 46 with the collection thereof which he receives for the col-47 lection of the town taxes.

Sect. 12. Qualification of voters; overseers to prepare 2 lists; use of checklist. All persons residing within the lim-3 its of said corporation's territory, who would be legal voters 4 in the town of Dedham, and every person of lawful age 5 who owns or is in possession of one or more lots of land 6 in said territory shall be legal voters at any meeting of 7 said corporation at which they are present. The overseers 8 of said village corporation, shall determine who are the

9 legal voters at any meeting and shall prepare a list of voters 10 at least twenty-four hours before every meeting, which 11 shall show just what persons the overseers have determined 12 are legal voters, and which said list the overseers may 13 amend or correct at any time before said meeting or during 14 its progress. The vote upon any proposition at any meet-15 ing shall be taken and checked by this list upon the demand 16 of five legal voters; provided, however, that every person, 17 who by virtue of a joint ownership of himself and some 18 other person or persons, and by agreement with the other 19 joint owners, is in possession of a certain aliquot part of 20 a lot of land in said territory upon which he has a dwelling 21 owned and controlled by himself exclusively, shall be 22 deemed a legal voter at any meeting of the corporation at 23 which he is present. A majority of the votes of those 24 present at any meeting shall be binding on the corporation. 25 Any person entitled by the provisions of this act to vote 26 at any meeting of said village corporation, who for any 27 reason is unable to attend any such meeting, or adjourn-28 ment thereof, shall be entitled to vote thereat, or at any 20 adjournment thereof by written proxy running to any legal 30 voter who is present at such meeting or adjournment there-31 of, provided such proxy shall not have been granted more 32 than thirty days prior to the meeting which shall be named 33 therein. Any voter who is thus represented by proxy at 34 any such meeting or adjournment, shall be in all and every

35 respect considered as present in determining majority votes 36 at such meetings or adjournments thereof.

Sect. 13. First election; terms of officers; annual meet-2 ing. The first election of officers, in the manner herein-3 above provided, shall be at the meeting at which this char-4 ter is accepted. Said officers shall hold their respective 5 offices until the next annual meeting of the village corpo-6 ration, at which said meeting officers shall be elected in 7 the manner hereinabove provided and thereafterwards at 8 each annual meeting, but in any event all officers duly elect-9 ed shall hold office until their successors are elected and 10 duly qualified.

Sect. 14. Procedure for acceptance of charter; subse-2 quent meetings, how called; moderator to be chosen. This 3 charter may be accepted at any time within two years from 4 its approval by the governor, but not more than two meet-5 ings to vote thereon shall be called in any one calendar 6 year. Harold M. Saddlemire, M. C. Saddlemire and Leroy 7 J. Butterfield, or either of them, may call all meetings of 8 the corporation previous to the acceptance of the charter 9 and the first election of officers, and notify the persons en-10 titled to vote therein to meet at some suitable time and 11 place in said territory, by posting of notices in two public 12 places in said territory seven days at least before the time 13 of holding said meeting; all subsequent meetings shall be 14 called and notified by the overseers as town meetings shall 15 be called and notified by the selectmen thereof. Either of 16 the above named persons is authorized to preside at any 17 meeting previous to the acceptance of the charter until the 18 meeting is organized and until a moderator shall have been 19 chosen by ballot and sworn; at all meetings of the corpo-20 ration, a moderator shall be chosen in the manner and with 21 the same power as in a town meeting.

Sect. 15. First meeting. At the meeting called for the 2 purpose of voting upon the acceptance of this charter, as 3 soon as a majority of the legal voters present have voted 4 in favor thereof, the legal voters present as defined by this 5 act may in said first meeting exercise all of the powers here-6 in conferred upon the voters at the annual meeting. At 7 said first meeting or at any adjournment thereof, any legal 8 voter may vote by written proxy to any legal voter who is 9 present at the meeting or at any adjournment thereof, with 10 full and the same effect in every respect as if such voter 11 voting by proxy was personally present at the meeting or 12 adjournment thereof.

Sect. 16. *Filling of vacancies*. In the event of the death 2 or resignation of any overseer or officer, his place may be 3 filled by vote of a majority of the board of overseers, and 4 the new officer or overseer so elected shall hold his office 5 until the next annual meeting, or until his successor is elect-6 ed and qualified.

Sect. 17. May acquire and hold real estate. Lucerne-in2 Maine Village Corporation is hereby authorized to purchase,
3 take title to in fee or in trust, lease or otherwise acquire

4 real estate or interests therein within the limits of said cor-5 poration's territory, and to hold, manage, improve and con-6 trol the same for the benefit of said village corporation and 7 the members thereof, for the purpose of enabling the vil-8 lage corporation to accomplish the objects for which it was 9 created.

Sect. 18. May issue bonds; may negotiate temporary 2 loans; may abate or refund taxes. Said village corporation 3 at any legal meeting called for that purpose, may vote to 4 issue its bonds or notes to obtain money to carry out each, 5 any or all of the objects and purposes set forth in herein-6 above. Said bonds or notes shall be signed by the treas-7 urer, and shall be on such time and terms and bear such 8 rate of interest as the corporation may deem expedient, 9 subject however to the limitations to towns under the con-10 stitution of Maine limiting municipal indebtedness. And 11 in addition to the above powers of raising money said vil-12 lage corporation may, by a majority vote of the voters pres-13 ent at any legal meeting, from time to time borrow money 14 as a temporary loan in anticipation of the receipt of its 15 money from the town of Dedham under sections five, six 16 and eleven hereinabove. Said village corporation shall also 17 have the power to abate or refund taxes assessed within its 18 limits for corporation purposes.

Sect. 19. Act effective when approved so far as author-2 ising holding meeting for acceptance of charter; emergency 3 clause. In view of the emergency set forth in the pream-

4 ble, this act shall take effect when approved by the governor 5 so far as to authorize the calling of a meeting or meetings 6 of said village corporation for the purpose of voting upon 7 the acceptance of this charter, and whenever this charter 8 shall be accepted by a majority of the voters of said cor-9 poration voting at a legal meeting called for that purpose, 10 then the same shall take and have complete effect in all its 11 parts.

Sect. 20. Acceptance previous to April 1st, 1927, pro-2 vision for taxes. If this charter shall be accepted and a 3 certificate of the amount of money voted to be raised by 4 the corporation filed with the assessors of the town of Ded-5 ham, on or before the first day of April, nineteen hundred 6 twenty-seven, the amount of money so voted to be raised 7 shall be included in the assessment of taxes for the year 8 nineteen hundred twenty-seven and shall be collected and 9 paid over to the treasurer of said village corporation in 10 manner above provided.