

# MAINE STATE LEGISLATURE

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# EIGHTY-FIFTH LEGISLATURE

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**Legislative Document**

**No. 13**

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S. P. 38

In Senate, Jan. 15, 1931.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Bishop of Lincoln.

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## STATE OF MAINE

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

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AN ACT to Incorporate Spruce Point Association.

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

Section 1. That part of the territory of the town of Boothbay Harbor, in the county of Lincoln, embraced within the limits described as follows: Commencing at low water mark on the west shore of Linekin bay at the southeast corner bound of land formerly of Boothbay Land Company and at the northeast corner bound of land of Boston and Boothbay Land Company and extending westerly along the northern boundary of land of said Boston and Boothbay Land Company to a stone post at the end of the town road leading to Spruce Point; thence continuing the same course to low water mark on the east shore of Boothbay Harbor; thence southerly, easterly and northerly around the shore at low water mark to point of beginning, together with the inhabitants within said territory and certain owners of real estate therein as hereinafter specified is hereby created a body politic and corporate by the name of Spruce Point Association.

Sect. 2. Said corporation is hereby authorized and vested with the power at any legal meeting called for the purpose to raise money for the following purposes: to build, repair and maintain roads, streets and ways, sidewalks, sewers and other sanitary works including the collection and removal of garbage; to care for and beautify that portion of the corporate territory

of Spruce Point, which may hereafter be reserved for, and dedicated to public uses to be enjoyed in common by all the owners of lots at Spruce Point and to that end to build roads and walks upon and through said public lands and to plant and care for trees along the streets and roads and upon said public lands; to build and maintain public landings and buildings; to establish and maintain police; to procure water for fire, domestic and other purposes and to produce or procure light for public use and for use of the inhabitants of said association, and for such purpose to contract with the town of Boothbay Harbor only, for water, and with any individual, corporation or firm to furnish light for either or both of the purposes named. Said association shall also have power and authority to take over any or all of the roads and ways now on land of Boston and Boothbay Land Company.

Sect. 3. Said association and the overseers thereof, shall have the same powers and duties in laying out, discontinuing and altering ways within the territory of said association, which the town of Boothbay Harbor and the selectmen thereof now have, to be exercised and performed under the same conditions and limitations, and in the same manner that they are now exercised and performed by said town and its selectmen.

Sect. 4. The town of Boothbay Harbor is hereby authorized and empowered to raise money to be expended within the limits of said association for any of the purposes mentioned in paragraph two, of this act or for any other purpose, for which they are authorized by law to raise money, such sum or sums as the town shall annually vote therefor. Such money shall be raised under proper articles inserted in the town warrant for annual meetings, said articles specifying the purposes for which the money shall be raised and expended.

Sect. 5. It shall be the duty of the treasurer of said association to receive all moneys raised by said association or belonging to the association, and pay it out only on written orders or directions of the overseers and to keep a regular account of all money received and paid out and to exhibit the same to the overseers whenever requested.

Sect. 6. The officers of said association shall be a clerk, who shall be a resident of Maine, a treasurer and three overseers, who shall be chosen by ballot and such other officers as the by-laws of said association may require. Said association

is empowered to adopt, at any legal meeting called for the purpose a code of by-laws for the government of the same and for the proper management of its prudential affairs and other purposes connected therewith, provided said by-laws are not repugnant to the laws of the state. Such code of by-laws may be amended or altered at any legal meeting of the association, in the call for which notice of the proposed change has been given. The officers of the association shall be sworn before the clerk or a justice of the peace. The treasurer shall give bond to said association in such sum as the overseers may direct, which shall be approved by the overseers and clerk.

Sect. 7. Any person who is a legal voter in said association may be elected or appointed to any office therein, but shall cease to hold office whenever he ceases to be a legal voter.

Sect. 8. Said overseers shall be the general municipal officers of the association and shall have general charge of its affairs and of the expenditure of money therein excepting the sums raised and appropriated by the town of Boothbay Harbor to be expended therein and such money so raised by said town shall be expended under the direction of the selectmen of said town and the overseers of said association jointly.

Sect. 9. All persons of legal age who own real estate within the limits of said corporation as described in section one shall be legal voters at any meeting of said association at which they are present. The overseers of said association shall determine who are the legal voters at any meeting and shall prepare a list of said voters at least twenty-four hours before every meeting, which said list they must amend or correct at any time before the meeting or during its progress. The vote upon any proposition at any meeting shall be taken and checked by this list upon the demand of five legal voters.

Sect. 10. The first election of officers shall be at the meeting at which this charter is accepted. Said officers shall hold their respective offices until the next annual meeting of the association, at which said meeting officers shall be elected and thereafter at each annual meeting, but in any event all officers shall hold office until their successors are elected and duly qualified.

Sect. 11. The annual meeting of the association shall be held on the first Saturday of August in each year.

Sect. 12. This charter may be accepted at any time within four years after it becomes effective, but only one meeting to vote thereon shall be called in any one calendar year.

Sect. 13. Frank E. Moore, John M. Keene, G. H. Marr and Tillie Holland or either of them may call all meetings of the association previous to the acceptance of this charter and the election of officers. They may notify in writing the persons entitled to vote therein to meet at some suitable time and place within the limits of the association, seven days at least before the time of holding said meeting. Any of the above named persons are authorized to preside at any meeting previous to the acceptance of this charter, until the meeting is organized and a moderator chosen by ballot and sworn. At all meetings of the association a moderator shall be chosen in the same manner and with the same powers as in town meetings.

Sect. 14. Whenever this charter shall be accepted by a majority of the voters of said association at a legal meeting called for the purpose, then the same shall take and have complete effect in all its parts.