

MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 258

S. P. 297

In Senate, January 31, 1935.

Referred to Committee on Legal Affairs 500 copies ordered printed.
Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Schnurle of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT to Incorporate the Princes Point Village Corporation.

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

Sec. 1. Princes Point Village Corporation, created. The territory in the town of Yarmouth in the county of Cumberland lying southwesterly of a line extending southeast from a point in the division line between the towns of Cumberland and Yarmouth at high water mark on the northerly shore of Broad Cove, so-called, and running due southeast across Princes Point, so-called, in said Yarmouth, to low water mark on the southeasterly side of said Princes Point, together with the inhabitants thereon and certain owners of real estate thereon as hereinafter specified is hereby created a body politic, and corporate, by the name of Princes Point Village Corporation.

Sec. 2. Powers. 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 offal and garbage; to build, repair and maintain public wharves and landings; to establish and maintain police and night watch; to procure water for fire, domestic and other purposes and to produce or procure light for public use and for the use of the inhabitants within the

limits of said corporation, and for such purposes to contract with any individual, firm or corporation to furnish such water or light for either or both of the purposes named and to establish reasonable rates to be paid by the inhabitants within said territory using such water or light for domestic purposes; and to defray any and all other necessary or proper corporate charges.

Sec. 3. The town of Yarmouth shall annually pay over to the treasurer of said corporation out of the taxes collected from the inhabitants and estates within the limits of said corporation a sum equal to 50% of all the town taxes, exclusive of the state and county tax, collected from said inhabitants and estates.

Sec. 4. Taxation of property. All moneys which shall be raised for the purposes named in section 2 of this act or for any other purpose, for which the corporation may lawfully raise money, shall be assessed upon the taxable polls and estates embraced within the limits of the corporation by the assessors of the town of Yarmouth 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 within said territory shall be deemed the owner thereof and be taxed for said lot and the improvements, if any, thereon.

Sec. 5. Officers of corporation. The officers of said corporation shall be a clerk, who shall be a resident of this state, a treasurer and five overseers, who shall be chosen by ballot and such other officers as the by-laws of said corporation may require. Said corporation is empowered to adopt at any legal meeting called for that 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 altered or amended at any legal meeting of the corporation in the call for which notice of the proposed change has been given. The officers aforesaid shall be sworn before the clerk or a justice of the peace and the treasurer shall give bond to said corporation in such sum as the overseers may direct, which bond shall be approved by the overseers and clerk.

Sec. 6. Any person who is a legal voter in said corporation may be elected or appointed to any office therein, but shall cease to hold said office whenever he ceases to be such legal voter.

Sec. 7. Municipal officers. Said overseers shall be the general municipal officers of said corporation and shall have general charge of its affairs and of the expenditure of all money therein except so far as the same may be committed to other officers or persons.

Sec. 8. Assessment of taxes; collection. Upon a certificate being filed with the assessors of the town of Yarmouth by the clerk of this corporation of the amount of money voted to be raised at any meeting for any of the purposes aforesaid, it shall be the duty of said assessors or their successors in office, at the time of the next annual assessment of town and county taxes in said town of Yarmouth to assess the total amounts certified by the clerk of this corporation upon the polls and estates of persons residing within the limits of said corporation and upon the estates of non-resident proprietors thereof and to certify and deliver the lists of the assessments so made to the collector of the town of Yarmouth, whose duty it shall be to collect the same in like manner as county and town taxes are by law collected and said collector shall pay over all moneys collected by him to the treasurer of said corporation whenever the overseers shall so direct. It shall be the duty of the treasurer of said corporation to receive all moneys belonging to the corporation and to pay it out only upon the written order or direction of the overseers and to keep a regular account of all moneys received and paid out and to exhibit the same to the overseers whenever requested, and said town of Yarmouth shall have the same power to direct the mode of collecting said taxes that it has in the collection of the town taxes and said collector shall have the same rights and powers to recover any taxes committed to him under the provisions of this act by suit that he has for the collection of town taxes committed to him and the town of Yarmouth shall have the same right to recover taxes assessed under this act by suit that it has to recover town taxes assessed therein. The collector of Yarmouth shall be entitled to receive the same percentage for the collection of taxes assessed under this act and the same fees in connection with the collection thereof which he receives for the collection of the town taxes.

Sec. 9. Legal voters. All persons residing in the limits of said corporation who would be legal voters of the town of Yarmouth, and every person of lawful age who owns or is in possession of real estate within the limits of said corporation, shall be legal voters at any meeting of said corporation at which they are present. The overseers of said corporation shall determine who are the legal voters at any meeting and shall prepare a list of said voters at least 24 hours before every meeting, which said list they may amend or correct at any time before said 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 5 legal voters.

Sec. 10. Election of officers. 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 corporation, at which said meeting officers shall be elected and thereafterwards at each annual meeting, but in any event all officers duly elected shall hold office until their successors are elected and duly qualified. The annual meeting of said corporation shall be held on the last Saturday of July in each year.

Sec. 11. Acceptance of charter; calling of meetings. This charter may be accepted at any time within 5 years from the date when this act takes effect, but only one meeting to vote thereon shall be called in any one calendar year. Edmund Burke, Frederick F. Haskell and Nathan W. Thompson, or either of them, may call all meetings of the corporation previous to the acceptance of the charter and the election of officers, and notify the persons entitled to vote therein to meet at some suitable time and place, by posting of notices in two public places within the limits of said corporation seven days at least before the time of holding said meeting; all subsequent meetings shall be called and notified by the overseers as town meetings are called and notified by the selectmen, either of the above named persons are authorized to preside at any meeting previous to the acceptance of the charter until the meeting is organized and until a moderator shall have been chosen by ballot and sworn; at all meetings of the corporation a moderator shall be chosen in the manner, and with the same power as in town meeting.

Sec. 12. Effective date. This act shall take effect 90 days after the adjournment of the legislature so far as to authorize the calling of a meeting or meetings of said corporation for the purpose of voting upon the acceptance of this charter, and whenever this charter shall be accepted by a majority of the voters of said corporation at a legal meeting called for that purpose, then the same shall take and have complete effect in all its parts.