

# MAINE STATE LEGISLATURE

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# E I G H T Y - N I N T H   L E G I S L A T U R E

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**Legislative Document**

**No. 490**

H. P. 1172

House of Representatives, February 7, 1939.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Marshall of Auburn by request.

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## S T A T E   O F   M A I N E

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-NINE

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### **AN ACT to Incorporate Agassiz Village.**

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

**Sec. 1. Territorial limits; corporate name; may enlarge limits.** The territory embraced within the limits of the charitable boys' camp operated and maintained by The Agassiz Village of the Burroughs Newsboys' Foundation, a more particular description of which territory is to be found in the Androscoggin county registry of deeds, book 455, page 229, and book 484, page 381, and book 481, page 311, and book 424, page 166, and book 424, page 180, and book 481, page 482, in the town of Poland, county of Androscoggin and state of Maine, together with the inhabitants therein and also all qualified members of record in the The Agassiz Village of the Burroughs Newsboys' Foundation, a charitable corporation organized under the provisions of chapter 70 of the revised statutes of Maine, as amended by chapter 3 of the public laws of 1931, and the purposes for which said corporation is organized are as follows :

“To furnish an opportunity to newsboys for translating into terms of good citizenship and later individual success in life those experiences peculiarly an integral part of newsboy life; to foster within the individual newsboy ideals and qualities which are associated with the highest aspirations of true Americanism by inculcating a disciplined determination to

strive, serve, save and study; to advance funds to newsboys to aid them in obtaining an education or in establishing themselves in business; to inculcate and stimulate thrift by the organization of groups of newsboys for mutual financial aid, by gifts to newsboys of bank books or deposits in savings accounts or by other gifts or in other ways; to acquire, hold and mortgage real estate; to provide clubhouses, homes and camps for newsboys or former newsboys; to organize and promote a club for newsboys and former newsboys; to provide opportunities and facilities for education—mental, spiritual and physical—and for recreation and for the physical well being and material comfort of members of a newsboys' club, home or camp; to conduct a publication for members of such a club and others; to receive donations for the foregoing charitable purposes; to execute the foregoing purposes either for the benefit of newsboys or for the benefit of other boys who make their living on the streets by necessity.

If at any future time through any change in methods of disseminating news there should not be newsboys in the sense in which the word is now commonly used or not enough of them to make practicable the limitation on the foregoing powers and purposes to newsboys, the corporation shall have power in its discretion to carry out the foregoing purposes or other similar charitable purposes for the benefit of boys.

No officer or member of this corporation shall receive any profit or remuneration in connection therewith except compensation for services rendered. The corporation may own real and personal estate, and property of all kinds, and may receive bequests, legacies or gifts of any nature or description; operate, maintain and conduct summer camps for the purpose of facilitating the realization of the purposes hereinabove set forth, and to do any and all acts necessary and incident thereto,"

said corporation being the present owner of the said above described property, is hereby created a body politic and corporate by the name of Agassiz Village, which said corporation is hereafter designated in this act as "said village" and said territory so created a body politic can enlarge itself at any time by voting to annex any of the adjacent property in said town of Poland, if assented to by a vote of said town of Poland at any regular or special town meeting in which such proposed annexation appears in the warrant for said meeting.

**Sec. 2. Purposes for which corporation may raise money.** The said Village Corporation is hereby authorized and vested with the power, at any legal meeting of the inhabitants thereof jointly held with the members thereof, called for the purpose to raise money for the following purposes: to create and maintain a fire department with all the necessary equipment, appliances and apparatus for the prevention and extinguishment of fires; to

build, repair and maintain streets, roads and ways, sidewalks, sewers and other sanitary works, including the collection and removal of offal and garbage; to care for and beautify that portion of the village which may hereafter be reserved for and dedicated to public uses; to build and maintain tennis courts and grounds for all other athletic sports; to build, repair and maintain wharves, bathing beaches, landings and other shore and water facilities; 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 occupants of said village, 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; to purchase ice, coal, wood, lumber, teams and other necessary supplies and equipment, and employ labor, and to furnish such facilities to the inhabitants or occupants or residents in said village, and the overseers of the Village Corporation may employ such agents as are necessary to carry out the provisions of this section. Provided, however, that all of its purposes are incident to and connected with the charitable purposes for which the said The Agassiz Village of the Burroughs Newsboys' Foundation has been organized, and is not conducted or operated as a business enterprise for profit or gain.

**Sec. 3. Town of Poland relieved from certain liabilities; same to be assumed by corporation.** The town of Poland is hereby relieved from any and all duty to build, repair or maintain roads, streets or ways in said village, or to build schoolhouses or maintain schools therein or to perform any of the duties for which said Village Corporation is authorized by section 2 of this act to raise money, except the duty to furnish fire protection, and said town shall not be liable for defects in streets, ways or roads in said village, nor for failure to perform any duty for which it is relieved by this act, but said Village Corporation shall assume all of said duties and be liable for said defects in streets, ways and roads and for failure to perform the duties assumed as the town of Poland would have been liable except for this act, which liability may be enforced under the same conditions, in the same manner and with the same remedies as are provided by law in relation to towns.

**Sec. 4. Officers; adoption of by-laws; officers to be sworn; treasurer to give bond.** The officers of said village shall be a clerk, who shall be a resident of this state, a treasurer and 4 overseers, who shall be chosen by ballot, and such other officers as the by-laws of said Village Corporation may require. Residence in said village shall not be required as one of the qualifications for holding any office in said village. Said village is em-

powered 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 village in the call for which notice of the proposed change has been given.

The officers aforesaid shall be sworn before the clerk of a justice of the peace, and the treasurer shall give bond to said village in such sum as the overseers may direct, which bond shall be approved by the overseers and clerk.

**Sec. 5. Qualification of officers.** Any person who is a legal voter in said village, as hereinafter defined, may be elected or appointed to any office therein, but shall cease to hold said office whenever he ceases to be such legal voter, provided however, that the treasurer of said village corporation need not be a legal voter.

**Sec. 6. Overseers; duties of.** Said overseers shall be the general municipal officers of said village 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. 7. Qualification of voters.** All persons residing within the limits of said village, of lawful age, and all persons who are qualified members in the The Agassiz Village of the Burroughs Newsboys' Foundation, shall be legal voters at any meeting of said village corporation at which they may be present.

**Sec. 8. First election; tenure of office; annual meeting.** 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 village at which said meeting officers shall be elected and thereafter 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 village corporation shall be on the last Saturday of July in each year.

**Sec. 9. Acceptance of charter; meetings for; subsequent meetings.** This charter may be accepted at any time within 2 years from its approval by the governor, but only one meeting to vote thereon shall be called in any one calendar year.

Harry E. Burroughs may call all meetings of the village 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 in said village by mailing written notices of such meeting 7 days at least before the same is held to their last known addresses. All subsequent meetings shall be called by a majority of the overseers, by posting written notices of the time and place of such meeting in 2 public places in said village at least 7 days before the date thereof; Harry E. Burroughs being authorized to preside at any meeting previous to the acceptance of the charter, until the meeting is organized and until a moderator shall be chosen by ballot and sworn.

At all meetings of the village a moderator shall be chosen in the manner and with the same powers as in town meetings.

**Sec. 10. Authority to hold property.** The said village corporation is hereby authorized to purchase, take title to, lease or otherwise acquire any real estate and personal property, or interest therein, and to hold, manage and control the same for the benefit of said village corporation, and the members thereof, and for the purpose of enabling the village corporation to accomplish the objects for which it was created.