

# MAINE STATE LEGISLATURE

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## NINETY - NINTH LEGISLATURE

### Legislative Document

No. 242

H. P. 168

House of Representatives, January 28, 1959.

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

HARVEY R. PEASE, Clerk.

Presented by Mrs. Knapp of Yarmouth.

### STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-NINE

#### AN ACT to Repeal the Charter of the Cousins and Littlejohns Islands Village Corporation.

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

**Sec. 1. P. & S. L., 1925, c. 27, repealed.** Chapter 27 of the private and special laws of 1925, creating the Cousins and Littlejohns Island Village Corporation, and all acts additional thereto and amendatory thereof, are hereby repealed; provided, however, that the corporate existence, powers, duties and liabilities of said corporation shall survive for the purpose of prosecuting and defending all pending suits and causes of suits of which said corporation is, or may be, a party and all needful process growing out of the same, including provisions for the payment of any debts of or judgments which may be rendered against said corporation or exist in favor of any creditor.

**Sec. 2. Transfer of property, etc.** Immediately after this act becomes fully effective, all the real and personal property, together with all accounts receivable, choses in action, and all other rights and benefits, that may be then due and payable to or would accrue to or for the benefit of the Cousins and Littlejohns Islands Village Corporation, shall be conveyed, transferred, assigned, delivered and paid over to the Town of Yarmouth, and said town may assume and may carry on all the functions of Cousins and Littlejohns Islands Village Corporation, and said town shall be authorized and empowered to raise funds by loan or taxation, or both, from time to time, as found necessary, to carry on said functions as it may assume and to defray the indebtedness thereof, if any.

It shall be the duty of the assessors of Cousins and Littlejohns Islands Village Corporation at the time this act becomes fully effective to execute and deliver, in behalf of said Cousins and Littlejohns Islands Village Corporation, suitable

and appropriate conveyances of all property, real and personal, of said corporation to said Town of Yarmouth.

**Sec. 3. Contracts to be assumed by Town of Yarmouth.** Upon the acceptance of this act, all valid contracts of said Cousins and Littlejohns Islands Village Corporation shall be assumed and executed by the Town of Yarmouth.

**Referendum; effective date; certificate to Secretary of State.** This act shall take effect 90 days after the adjournment of this Legislature, only for the purpose of permitting its submission to the legal voters of the Town of Yarmouth and to the legal voters of the Cousins and Littlejohns Islands Village Corporation at a special meeting of the Town of Yarmouth, to be held within 90 days after the effective date of this act, provided that the warrant calling such meeting shall contain an appropriate article for that purpose. Such meeting shall be called and conducted according to law governing municipal elections. At least 10 days before the date of the special town meeting, the clerk of the Cousins and Littlejohns Islands Village Corporation shall deliver to the clerk of the Town of Yarmouth a certified list of all of the qualified voters of the corporation who are eligible to vote in corporation matters, and all such qualified voters of the corporation as so certified by the clerk of the Cousins and Littlejohns Islands Village Corporation to the clerk of the Town of Yarmouth shall be entitled to cast a vote at said special town meeting. Any person who is certified as a qualified voter in the Town of Yarmouth and who is also certified as a qualified voter of the corporation shall be entitled to only one vote at said special town meeting. The town clerk of the Town of Yarmouth shall prepare proper ballots, upon which the subject matter of this act shall be reduced to the following question: "Shall An Act to Repeal the Charter of the Cousins and Littlejohns Islands Village Corporation, passed by the 99th Legislature, be accepted?" The voters of said Town of Yarmouth and of said corporation shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

The result of the vote shall be declared by the municipal officers of the Town of Yarmouth, and a certificate of the result of the vote shall be filed by the clerk of said town with the Secretary of State immediately after the determination of the vote. This act shall become effective in full upon the date that the certificate of the result of the vote is filed with the Secretary of State to the effect that this act is accepted.