

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

**1913**

Including Acts and Resolves of the Special Session held  
in 1912.

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Published by the Secretary of State, agreeably to Resolves of  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth  
Legislature

***1913***

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Amity, Cary plantation and the towns of Hodgdon and Houlton in said county of Aroostook; provided, however, that said corporation is authorized to locate in adjoining towns or townships east of the Penobscot river, if found necessary in the location and construction of said railroad, provided also that if the location above described extending 'easterly through the town of Amherst or the town of Mariaville at a point on the Union river, southerly of the old Amherst Tannery, so called,' is deemed impracticable in the judgment of the board of railroad commissioners, then the said corporation is authorized to locate and build its railroad upon the nearest route thereto, which may be deemed practicable in the judgment of said board of railroad commissioners.'

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Approved March 12, 1913.

**Chapter 87.**

An Act to Incorporate the Capitol Island Village Corporation.

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

Section 1. The territory embraced within the limits of Capitol Island in the town of Southport, in the county of Lincoln, 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 the Capitol Island Village Corporation.

Territorial limits.

—corporate name.

Section 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 create and maintain a fire department with all necessary equipment, appliances and apparatus for the prevention and extinguishment of fires; 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 care for and beautify that portion of the island which has been or may hereafter be reserved for and dedicated to public uses to be enjoyed in common by all the owners of lots on the island and to that end to build roads and walks upon and through said public lands and to plant and care for trees in the roads and streets and upon said public lands; 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 of the island, and for such purposes to contract with any individual, firm or corporation to furnish such water or light

Corporate powers.

—to maintain a fire department.

—to maintain roads, etc.

—to care for lands devoted to public uses.

—to maintain wharves.  
—to maintain police.  
—to procure water for fire purposes, etc.

**CHAP. 87** for either or both of the purposes named and to establish reasonable rates to be paid by the inhabitants of the island using such water or light for domestic purposes; to construct, maintain and operate telephone or telegraph lines or to aid in such construction, maintenance and operation and to that end and for that purpose to contract with any corporation, firm or individual therefor; and to defray any and all other necessary or proper corporate charges.

Town of Southport relieved from certain expenditures and duties.

Section 3. The town of Southport is hereby relieved from any and all duty to build, repair, or maintain roads, streets or ways upon Capitol Island or to build school houses or maintain schools thereon or to perform any of the duties for which said corporation is authorized by section two of this act to raise money, and said town shall not be liable for defects in streets, ways or roads on said island nor for failure to perform any duty from which it is relieved by this act, but said 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 Southport 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.

Corporation may lay out roads, etc.

Section 4. Said corporation and the overseers thereof shall have the same power and duties in laying out, discontinuing and altering town ways on Capitol Island which the town of Southport and the selectmen 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.

Treasurer of corporation shall receive sixty per centum of town taxes.

Section 5. The town of Southport shall annually pay over to the treasurer of said corporation out of the taxes collected from the inhabitants and estates on Capitol Island a sum equal to sixty per centum of all the town taxes, exclusive of the state and county tax, collected from said inhabitants and estates.

Assessors of Southport shall assess taxes.

Section 6. All moneys which shall be raised for the purposes named in section two 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 Southport 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 on said island shall be deemed the owner thereof and be taxed for said lot and the improvements, if any, thereon.

Section 7. 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.

Section 8. 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.

Section 9. 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.

Section 10. Upon a certificate being filed with the assessors of the town of Southport 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 Southport 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 Southport, 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 Southport shall have the same power to direct the mode of collecting said taxes that it has in the collection of the town

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Officers.

Corporation may adopt by-laws.

—by-laws may be amended.

—officers shall be sworn.

—treasurer shall give bond.

Any legal voter may be appointed to any office.

Duties of overseers.

Duties of assessors of town of Southport.

—collector of town of Southport shall collect taxes.

—duties of treasurer of corporation.

**CHAP. 87** taxes and said collector shall have the same right and powers to receive 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 Southport 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 Southport 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.

Compensation of collector of taxes.

Who may vote at meetings of corporation.

Overseers shall determine who are legal voters.

Section 11. All persons residing within the limits of said corporation, who would be legal voters in the town of Southport and every person of lawful age who owns one or more shares of the stock of the Capitol Island Association and is in possession of one or more lots of land on said island by virtue of the ownership of said stock 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 twenty-four hours before each 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 five legal voters; provided, however, that every person who by virtue of a joint ownership of himself and some other person or persons of a share of said stock and by agreement of the other joint owners, is in possession of a certain aliquot part of a lot of land on said island upon which he has a dwelling house, owned and controlled by himself exclusively, shall be deemed a legal voter at any meeting of the corporation at which he is present and provided further that the majority in interest of the joint owners of any share of stock may designate in writing one of such owners to represent such share who shall be a legal voter at any meeting of the corporation at which he is present, but no person shall be entitled to more than one vote in any meeting either for himself or as representing the joint owners of any share of stock.

First election of officers.

—tenure of officers.

Section 12. 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 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 corporation shall be held on the last Saturday of July in each year.

Section 13. This charter may be accepted at any time within five years from its approval by the governor, but only one meeting to vote thereon shall be called in any one calendar year. A. E. Lewis, F. A. Danforth, K. W. Small, Charles B. Day, and Thomas Leigh, 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, on said Capitol Island, by posting of notices in two public places on said island 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 meetings.

Section 14. The Capitol Island Association is hereby authorized to sell, convey, lease or otherwise dispose of any and all real estate or interests therein which it now has to the Capitol Island Village Corporation and said latter corporation is hereby authorized to purchase, take title to, lease or otherwise acquire, said real estate or interests therein and to hold, manage and control the same for the benefit of said corporation and the members thereof and for the purpose of enabling the corporation to accomplish the objects for which it was created.

Section 15. This act shall take effect when approved by the governor 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.

Approved March 12, 1913.

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## Chapter 88.

An Act to Amend Section Two of Chapter Three Hundred and Fifty-three of the Private and Special Laws of One Thousand Nine Hundred and Five Relating to the Wiscasset Bridge.

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

Section 1. That section two of chapter three hundred fifty-three of the private and special laws of the year nineteen hun-

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This charter may be accepted at any time within five years.

—corporate meetings, how called.

Capitol Island Association may convey its interests, etc.

Time when this act shall take effect.

Section 2 of chapter 353, P. & S. laws of 1905, amended.