

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Seventh
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CHAP. 136 of has been notified by an official as authorized by section three, to leave the anchorage or mooring; in case of immediate necessity, or upon failure to move forthwith when so notified, said official shall have full authority to move any craft to another safe anchorage, mooring or landing place.

—certain waters defined.

Section 2. The waters of Moosehead lake bordering on the southern shore of that part of Kineo point lying southerly of the top of Mount Kineo and extending to the pavilion, in Kineo, in Piscataquis county, for a distance of four hundred yards from any part of said shore line shall be subject to the provisions of section one.

—steamboat inspectors shall enforce act.

Section 3. It shall be the duty of the Steamboat Inspectors for the State of Maine, to enforce the provisions of this act, and they may appoint for this purpose one or more deputies domiciled at Kineo.

—shall not apply.

Section 4. This act shall not apply to rafts of logs or timber moored or anchored while in transit across Moosehead lake.

—penalty.

Section 5. Whoever refuses to move when notified under the provisions of section one and section two, upon complaint shall pay a fine of twenty dollars and costs for each offense, and five dollars to the official who acts.

Approved March 29, 1915.

Chapter 136.

An Act to Incorporate the Northport Village Corporation.

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

Certain territory in town of Northport set off and incorporated under name of Northport Village Corporation.

Section 1. That part of the territory in the town of Northport, in the county of Waldo, embraced within the limits described as follows: Beginning on the shore of the West bay of Penobscot at a point marking the southerly line of the property known as "Shore Acres" owned by Charles and Albert Woodman and the northerly line of land recently in the possession of Emma J. Marshall; thence westerly by the line dividing the land of said Marshall on the south, from land of said Charles and Albert Woodman and land of Deborah Smith on the north, to the Old Bluff road, so-called; thence northerly by the centre of said road to the southerly line of land in the possession of Althea Mahoney, said land being shown on the original plan of the town of Northport as of Isaac Woodworth; thence westerly by said southerly line of above named Woodworth on Mahoney lot to the southeasterly corner thereof as shown on town plan aforesaid; thence still westerly by the

southerly line of land owned by C. O. Dickey (formerly known as Martin G. Black farm) to the back road, so-called, leading from Saturday Cove to Brown's Corner in said Northport; thence northerly and northeasterly by the center of said road to Brown's Corner; thence still northeasterly by the continuation of said road and in the center thereof to the shore of the West bay of Penobscot above named; thence northeasterly, southeasterly and southerly by said bay to the point of beginning, together with the inhabitants within said territory and certain owners of real estate therein are hereinafter specified is hereby created a body politic and corporate by the name of the Northport Village Corporation, with all the rights and privileges granted by the laws of the State to similar corporations.

Section 2. Said corporation is hereby authorized and vested with 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 or extinguishment of fires; to build, repair and maintain roads, streets and ways, sidewalks, sewers and other sanitary works, including the collection and removal of garbage and other waste material; to care for and beautify any portion of the corporate territory which may be reserved for and dedicated to public uses to be enjoyed in common by all the owners of real estate within the limits of said Northport Village Corporation, and to that end to build public roads and walks, and to plant and care for trees, shrubs and flowers within the limits of the roads and streets and upon said public lands; to build, repair and maintain public wharves and landings; to establish and maintain a police force and night watch; to procure water for fire, domestic and other purposes, and to purchase and own any existing systems furnishing water and to add to the same from time to time as public convenience and necessity may require, and to contract for the furnishing of water with any existing or future corporation furnishing water; to procure lights for the public use and for the use of the inhabitants of said village corporation and for such purpose to contract with any firm, individual or corporation to furnish such lights, or to install, purchase and own any lighting plant; to establish reasonable rates to be paid by the inhabitants for said village corporation using said water or light for domestic purposes, if produced by said corporation; to purchase, equip and maintain an athletic field for the use in common by all of the owners of real estate within the boundaries of said Northport Village Corporation, and to contribute from time to time

—may raise money for purposes herein named.

—may establish rates for water or lights.

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to features of an entertaining or athletic nature during the months of June, July, and August of any year,—which athletic sports or entertainment shall be free to all of the owners of real estate within the corporate territory; to license entertainments of a character not forbidden by law, and to forbid the same when, in the judgment of the overseers, such entertainment is a nuisance or is immoral; to make and enforce rules and regulations for the maintenance of order, and the protection of corporate property. Said village corporation, in addition to the powers and duties hereinabove enumerated, shall have power—

—additional powers.

—borrow money.

(a) To borrow money not in excess of the amount voted to be raised during the calendar year.

—refund taxes.

(b) To abate or refund taxes assessed within its limits for corporation purposes.

—issue bonds.

(c) To borrow money and issue bonds therefor not in excess of the amount allowed by law. No money, however, shall be borrowed secured by bonds except for the purpose of creating or purchasing improvements of a permanent public character.

Town of Northport relieved from duties herein provided for.

Section 3. The town of Northport is hereby relieved from any and all duty to build, repair or maintain roads, streets or ways within the territory of said Northport Village Corporation. Nor shall the town of Northport be required 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 within the limits of said village corporation, 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 Northport 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.

—laying out of town ways.

Section 4. Said corporation and the overseers thereof shall have the same power and duties in laying out, discontinuing and altering town ways within the territory aforesaid which the town of Northport and the selectmen now have, to be exercised and performed under the same conditions and limitations in the same manner that they are now existing and performed by said town and its selectmen.

Town of Northport shall pay over sixty per centum

Section 5. The town of Northport shall from time to time as taxes are collected, pay over to the treasurer of said corporation, out of the taxes collected from the inhabitants and

estates within the territory of the Northport Village Corporation aforesaid, 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.

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—of town
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 Northport, in the same manner as is provided by law for the assessment of town and county taxes. For the purpose of taxation under this act, the person or persons entitled to the use or occupation of any lot of land within the limits of said Northport Village Corporation shall be deemed the owner thereof and be taxed for said lot and the improvements, if any, thereon.

—assess-
ment of
taxes.

Section 7. The officers of said corporation shall be a president, a clerk, who shall be a resident of this State, a treasurer, and seven overseers who shall be chosen by ballot, and such other officers as the by-laws of the corporation may require. Said corporation shall have power to adopt, at any legal meeting called for that purpose, a code of by-laws for the government of its affairs and for its proper management, provided said by-laws are not repugnant to any laws of the State. Such by-laws may be altered or amended at any legal meeting of the corporation, provided that notice of such proposed change shall be plainly stated in the call for such meeting. All of the officers shall be sworn by the clerk or a justice of the peace, and the treasurer shall give bond to the corporation, in such amount and with such surety or sureties as the overseers may direct and approve.

Officers of
corpora-
tion.

—by-laws
may be
adopted.

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.

Qualifica-
tions to
hold office.

Section 9. The president, if present, shall preside over all of the meetings of the board of overseers, and in the event of a tie shall cast the deciding vote. In the absence of the president, a chairman shall be elected to preside.

Presiding
officer.

Section 10. Said overseers shall be the general municipal officers of said corporation and shall have general charge of its affairs and of the expenditures of its moneys, except so far as the same may be committed to other officers or persons.

—over-
seers.

Section 11. Each and every year, a meeting shall be held within the territorial limits of the Village Corporation, on the second Tuesday of August, at which a majority of the legal

—annual
meeting,
when held.

CHAP. 136 voters there assembled shall determine the amount of money to be raised for the corporate purpose during the next succeeding year. A certificate signed by the president and attested by the clerk shall thereupon be filed with the assessors for the town of Northport, which certificate shall recite the amount determined to be raised. It shall then become the duty of said assessors, or their successors in offices, at the time of the next annual assessment of town and county taxes in said town of Northport, to assess the total amounts shown by each certificate 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 assessment so made to the collector of the town of Northport, 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. The collector shall also deliver to the treasurer of the corporation a list of the assessments. It shall be the duty of the treasurer of said village corporation to receive all moneys belonging to the corporation and to pay the same out only upon the written order or direction of the overseers, and to keep regular accounts of all moneys received and paid out, and to exhibit the same to the overseers whenever requested. The town of Northport shall have the same powers relative to the collection of taxes within the corporate limits as it has in the collection of town taxes, and the collector shall have the same rights and powers to recover any taxes committed to him under the provisions of this act by suit, or otherwise, that he has for the collection of town taxes committed to him, and the town of Northport shall have the same right to recover town taxes assessed therein; and if the collector of Northport receives for his compensation a percentage for the collection of taxes, he shall receive from the Village Corporation the same percentage as is paid him on account of the collection of town taxes, and if he receives a salary, then he shall be paid by the corporation that proportion of his salary that the total taxes assessed and collected for the village corporation bears to the total taxes collected by him for account of both the town of Northport and the Village Corporation.

Duties of assessors.

Duties of collector.
Treasurer's duties.

—collection of taxes.

Compensation for collecting taxes.

—legal voters of corporation.

Section 12. All persons residing within the limits of said corporation who shall be legal voters in the town of Northport, and every person of lawful age who owns land in fee simple, and every person of lawful age who occupies one or more lots

of land under a lease in perpetuity from the Northport Wesleyan Grove Campmeeting Association, shall be legal voters at any meeting of said corporation which they shall attend. The by-laws of the corporation may provide reasonable rules and regulations concerning the registration of voters, and only persons who have registered under the provisions of such reasonable regulations shall be entitled to vote. A list of the voters shall be prepared at least twenty-four hours before every meeting, which list may be amended or corrected by the overseers of the corporation at any time before said meeting or during its progress. On demand of five legal voters, a vote upon any proposition at any meeting shall be taken and checked by the list of registered voters. A majority of the votes of those present at any meeting shall be binding upon the corporation.

—registration of voters.

—list of voters.

—majority vote.

Section 13. 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.

—first election of officers.

Section 14. This charter may be accepted at any time within three years after it shall become law, but not more than two meetings to vote thereon shall be called in any one calendar year. Ira M. Cobe, H. J. Banton, J. W. Blaisdell, Fred W. Dawes, Dr. Percy Warren, Fred Walls, Loren Cross, Philo C. Blaisdell, W. Franklin Burnham, John Roberts, William Kotman, and Charles E. Rogers, or any one of them, may call all meetings of the corporation previous to the acceptance of the charter and the first election of officers, and notify the persons entitled to vote therein to meet at some suitable time and place within the said limits of this corporation, by posting of notices in two public places within the limits of said corporation not less than seven days before the holding of 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 is 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 same manner and with the same powers as in town meetings.

Acceptance of charter.

Calling of meetings previous to acceptance of charter.

Section 15. At the meeting called for the purpose of voting upon the acceptance of this charter, as soon as a majority have voted in favor thereof, the legal voters as defined by this act

—first meeting.

CHAP. 137 may in said first meeting exercise all of the powers herein conferred upon the voters at the annual meeting. At said first meeting any legal voter may vote by written proxy running to any legal voter who is present at the meeting.

—filling of vacancies.

Section 16. In the event of the death or resignation of any officer or overseer, his place may be filled by vote of a majority of the Board of Overseers, and the new officer or overseer so elected shall hold his office until the next annual meeting, or until his successor is elected and qualified.

Charter when to take effect.

Section 17. Whenever this charter shall be accepted by a majority of the voters of said corporation voting at a legal meeting called for that purpose, then the same shall take and have complete effect in all its parts.

—acceptance previous to April 1st, 1916, provisions for taxes.

Section 18. If this charter shall be accepted and a certificate of the amount of money voted to be raised by the corporation filed with the assessors of the town of Northport, on or before the first day of April, nineteen hundred sixteen the amount of money so voted to be raised shall be included in the assessment of taxes for the year nineteen hundred sixteen.

Approved March 29, 1915.

Chapter 137.

An Act to Authorize the Maine Central Railroad Company to Retire a Portion of Its Common Stock, and to Issue Bonds, Notes or Preferred Stock in Place Thereof.

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

—may retire portion of common stock.

The Maine Central Railroad Company is authorized, upon the affirmative vote of a majority in interest of its stockholders, in addition to the affirmative vote of the stock held by the trustees of the Maine Railways Companies, from time to time to retire not exceeding in the aggregate ten million dollars par value, of its present stock, and to issue in place thereof bonds, notes or preferred stock of the same par value in the aggregate as the stock retired. The stockholders shall have the right to determine, in the manner aforesaid, subject to the approval of the Public Utilities Commission of the State of Maine, as hereinafter provided, which class or classes of securities shall be issued, and the amount thereof. Whenever any such bonds, notes or preferred stock are issued, they shall be offered at par to the then existing stockholders of said company, including the trustees of the Maine Railways Companies, in exchange for, and in retirement of an equal amount at par of common stock of said stockholders, in proportion to their holdings of such

—may issue bonds, notes, etc.

—determination of securities.

—shall be issued at par to the then existing stockholders.