

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Second  
Legislature

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shall be reimbursed for all expenses incurred in the discharge of his duties as such director.'

**Sec. 2.** P. & S. L., 1919, c. 84, sec. 8; 1919, c. 123; relating to power of directors to lease property, and disposition of income, amended. Section eight of chapter eighty-four of the private and special laws of nineteen hundred and nineteen as amended by chapter one hundred and twenty-three of the private and special laws of nineteen hundred and nineteen, and by chapter one hundred and eighteen of the private and special laws of nineteen hundred and twenty-three, is hereby further amended by striking out entirely said section eight and substituting in place thereof the following:

'**Sec. 8.** Directors given charge of disbursement of all moneys collected; provision that funds to be paid into state treasury eliminated; annual audit by state auditor. The directors shall have power to lease, for a period not exceeding twenty years under such covenants and conditions as they may prescribe, wharves, piers, bulkheads, docks, sheds, warehouses, storage facilities, transportation facilities, and terminal facilities, and industrial locations within their charge, for public purposes, and may acquire the same, or rights therein or thereto, by lease or other contract, but no lease for a term exceeding five years shall be valid until approved by the governor and council. The directors shall appoint a treasurer or other fiscal agent to hold office during their pleasure who shall give bond for the faithful discharge of his duties and who, under their direction, shall collect and deposit, subject to the restrictions of section sixty-two, chapter two of the revised statutes, the income and revenue accruing from the properties within the charge of the directors, and make disbursements therefrom, including salaries and expenses of directors and all sums payable as workmen's compensation or the premiums on a policy therefor and all other insurance premiums, for carrying out the purposes of this act and amendments thereof. He shall keep account of the income and expenditures, property and liabilities in manner approved by the state auditor, who shall examine all vouchers and audit the books of account at least once a year, making a report thereon to the governor and council, and furnishing a copy of all such reports forthwith to the directors.'

Approved April 7, 1925.

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## Chapter 100.

An Act to Incorporate the Piney Heights Beach and Country Club Village Corporation.

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

**Sec. 1.** Territorial limits; corporate name; may enlarge limits. The

## CHAP. 100

territory embraced within the limits of the so-called Gerald Hall farm, a more particular description of which is to be found in the Kennebec county registry of deeds, book six hundred and nineteen, page two hundred and ten, and book six hundred and twenty, page three hundred and eighteen, in the town of Monmouth, county of Kennebec and state of Maine, together with the inhabitants therein and certain stockholders of record in the Piney Heights Beach and Country Club, Inc., the present owners of the said above described property, is hereby created a body politic and corporate by the name of the Piney Heights Beach and Country Club Village Corporation, 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 Monmouth if assented to by a vote of said town of Monmouth 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 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 has been or may hereafter be reserved for and dedicated to public uses to be enjoyed in common by all the owners of lots in the village 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 and maintain golf courses, tennis courts and grounds in common for all other athletic sports; 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 inhabitants 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, and to establish reasonable rates to be paid by the inhabitants of the village using such water or light for domestic purposes; to purchase ice, coal, wood, lumber, teams and other necessary supplies and equipment, and employ labor, and to sell such supplies and furnish such teams and labor for hire to the members of the village corporation or residents in the village, and the overseers of the village corporation may employ such agents as are necessary to carry out the provisions of this section.

**Sec. 3. Town of Monmouth relieved from certain liabilities; same to be assumed by corporation.** The town of Monmouth is hereby relieved from any and all duty to build, repair or maintain roads, streets or ways in said village, or to build school houses or maintain schools therein or to perform any of the duties for which said village 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 in said village nor for failure to perform any duty from 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 Monmouth 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. Authority in relation to ways conferred.** Said village and the overseers thereof shall have the same powers and duties in laying out, discontinuing and altering town ways in said village which the town of Monmouth 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.

**Sec. 5. Apportionment of taxes between town and corporation.** The town of Monmouth shall annually pay over to the treasurer of said village out of the taxes collected from the inhabitants and estates in said village, a sum equal to seventy-five per cent of all the taxes committed by the town of Monmouth against any property in said village, exclusive of the state and county tax collected from said inhabitants and estates, and in no year shall the town of Monmouth receive less than one hundred and fifty dollars as such twenty-five per cent of such taxes collected.

**Sec. 6. Assessment and collection of taxes.** All moneys which shall be raised for the purpose named in section two of this act or for any other purpose, for which the village may lawfully raise money, shall be assessed upon the taxable polls and estates embraced within the limits of the village by the assessors of the town of Monmouth 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 in said village shall be deemed to be the owner thereof, and be taxed for said lot and the improvements, if any, thereon.

**Sec. 7. 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 five overseers, who shall be chosen by ballot, and such other officers as the by-laws of said village corporation

**CHAP. 100**

may require. Said village 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 village 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 village in such sum as the overseers may direct, which bond shall be approved by the overseers and clerk.

**Sec. 8. Qualification of officers.** Any person who is a legal voter in said village 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. 9. 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. 10. Procedure in assessment and collection of taxes of corporation; duties of corporation treasurer.** Upon a certificate being filed with the assessors of the town of Monmouth by the clerk of this village 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 Monmouth, to assess the total amounts certified by the clerk of this village upon the polls and estates of persons residing within the limits of said village, 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 Monmouth, whose duty it shall be to collect these same in like manner as county and town taxes are by law collected, and said collector shall pay over all moneys except twenty-five per cent thereof, belonging under this act to the town of Monmouth, collected by him to the treasurer of said village whenever the overseers shall so direct.

It shall be the duty of the treasurer of said village to receive all moneys belonging to the village 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 Monmouth 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 Monmouth 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 Monmouth 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. 11. Qualifications of voters; lists of voters; use of check list; rights of joint owners.** All persons residing in the limits of said village who would be legal voters in the town of Monmouth, and every person of lawful age who owns one or more shares of stock of the Piney Heights Beach and Country Club, Inc., or is in possession of one or more lots of land in said village by virtue of ownership of said stock, shall be legal voters at any meeting of said village corporation at which they may be present.

The overseers of said village shall determine who are the legal voters at any meeting, and shall prepare a list of said voters at least twenty-four 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 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 with the other joint owners, is in possession of a certain aliquot part of a lot of land in said village 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.

**Sec. 12. 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 corporation shall be on the last Saturday of July in each year.



**CHAP. 101**

**Sec. 13. Acceptance of charter, meetings for; subsequent meetings.** This charter may be accepted at any time within two years from its approval by the governor, but only one meeting to vote thereon shall be called in any one calendar year.

Guy E. Flagg 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 publishing a notice of said meeting in the Lewiston Evening Journal at least seven days before such meeting, and by posting a notice of said meeting at some public place in said village at least seven days before such meeting. All subsequent meetings shall be called and notified by the overseers as town meetings are called and notified by the selectmen; Guy Flagg, above named person, being 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 village a moderator shall be chosen in the manner and with the same power as in town meetings.

**Sec. 14. Piney Heights Beach and Country Club, Inc., authorized to sell to village corporation.** The Piney Heights Beach and Country Club, Inc., 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 Piney Heights Beach and Country Club 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 village corporation, and the members thereof, and for the purpose of enabling the village corporation to accomplish the objects for which it was created.

Approved April 7, 1925.

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## Chapter 101.

An Act to Enable the City of Lewiston to Issue Bonds for School Purposes.

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

**Sec. 1. City of Lewiston authorized to issue bonds to construct school house.** To construct a school house in the city of Lewiston, the city of Lewiston is authorized to issue its bonds in an amount not exceeding seventy-five thousand dollars, said bonds to be issued serially and to be payable at five thousand dollars per year and to be issued at a rate of interest not to exceed four and one-half per cent. Said bonds shall issue under the seal of the city and shall be signed by the mayor and treasurer and the coupons attached thereto shall have the printed signature of the treasurer.