

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED OCTOBER 22, 1840;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

United States and of the State of Maine,

AND TO WHICH ARE SUBJOINED THE OTHER

PUBLIC LAWS OF 1840 AND 1841,

WITH AN

APPENDIX.

PRINTED AND PUBLISHED IN COMPLIANCE WITH A RESOLVE OF OCTOBER 22, 1840.

Augusta:

PUBLISHED BY WILLIAM R. SMITH & Co., PRINTERS TO THE STATE.

.....
1841.

CHAP. 82. may be enlarged, restricted, or annulled, at the pleasure of the legislature.

CHAPTER 83.

OF AQUEDUCTS.

- | | |
|--|---|
| <p>SECT. 1. Meetings of proprietors of aqueducts for incorporation, how called.</p> <p>2. Declared a corporation.</p> <p>3. Mode of calling meetings, and clerk.</p> <p>4. Registry of shares and transfers.</p> <p>5. Directors, and other officers.</p> <p>6. Assessments, and collection thereof.</p> <p>7. Penalties, for breach of by laws.</p> <p>8. Manner of voting.</p> <p>9. Transfer or attachment of shares.</p> | <p>SECT. 10. Corporation may hold real estate.</p> <p>11. May dig up highways or streets, by permission.</p> <p>12. Penalty, for injuring an aqueduct.</p> <p>13. Towns may draw water in case of fires.</p> <p>14. Continuance of certain corporate powers, after dissolution.</p> <p>15. Liability of corporators in such case.</p> <p>16. Title to corporate property after dissolution.</p> |
|--|---|

Meetings of proprietors of aqueducts for incorporation, how called. 1821, 140, § 1.

SECTION 1. Any persons, associated by agreement in writing, as proprietors, of an aqueduct for the purpose of conveying fresh water into or within any town, or, of any funds for establishing such aqueduct, may apply in writing to some justice of the peace, for the county in which the said aqueduct or any portion thereof may be situated, or is proposed to be made; stating, in such written application, the name and style of their association, and the objects of their proposed meeting; and requesting such justice to issue his warrant to some one of the persons applying, directing him to call such meeting; and such justice may thereupon issue his warrant accordingly, stating therein the time, place and object of such meeting; and the proprietor, to whom the warrant is directed, shall notify such meeting by posting up the substance of the said warrant, with his notice annexed thereto, seven days at least before the said meeting, in some public place in every town, in which the said aqueduct, or any portion thereof, may be, or is proposed to be made.

Declared a corporation. 1821, 140, § 2.

SECT. 2. The proprietors aforesaid, duly assembled in pursuance of such warrant, and their successors, shall be a corporation by the name and style, mentioned in their application.

Mode of calling meetings, and clerk. 1821, 140, § 3.

SECT. 3. The said proprietors may, at any legal meeting, agree upon the method of calling future meetings of the corporation; and they may choose a clerk, who shall be duly sworn, and shall fairly and truly record, in books to be provided and kept by him for that purpose, all by laws, votes and other proceedings of such corporation, which books shall, at all times, be subject to the inspection of any person, appointed for that purpose by the legislature.

Registry of shares and transfers. 1821, 140, § 8.

SECT. 4. At or immediately after the first meeting, the clerk shall enter, in the books aforesaid, the names of the several proprietors, and the shares owned by each of them; and when any share shall afterwards be transferred, the transfer shall be entered by said

clerk in said books, within three months after it shall have been made, in such form and for such fees as the directors shall order; and no person shall be deemed a proprietor, whose share or interest shall not be so entered. CHAP. 83.

SECT. 5. The proprietors may choose any number of directors and other officers, to manage the business of said corporation; and the directors shall choose one of their number, to be president of the corporation. Directors and other officers. 1821, 140, § 3.

SECT. 6. The directors may make such assessments on the proprietors of the shares in such aqueduct or funds, as they shall find necessary; and on the default of any proprietor, to pay such assessment, for thirty days after notice thereof, they may sell, by public auction, so many of his shares as will be sufficient to pay the same, with necessary charges; the sale of such shares, being first advertised in some newspaper, printed in the county, three weeks successively, or notifications thereof being posted up, twenty days at least before the sale, in some public places in each of the towns, wherein such aqueduct may be or is proposed to be made; and the surplus moneys, if any there be, arising from such sale, shall be paid to the owner of the shares so sold. Assessments, and collection thereof. 1821, 140, § 3.

SECT. 7. Such corporation may impose penalties for the breach of any of their reasonable by laws, not exceeding thirty dollars for each offence. Penalties, for breach of by laws. 1821, 140, § 5.

SECT. 8. At any meeting, the proprietors shall be entitled to one vote, for each share by them respectively held, and may vote by proxy authorized in writing. Manner of voting. 1821, 140, § 4.

SECT. 9. The shares in said companies, whilst they shall exist as corporations, shall be deemed personal estate, and transferable and subject to attachment on mesne process, and sale on execution, for the debts of the proprietors thereof, like shares in other corporations. Transfer or attachment of shares. 1821, 140, § 6, 9.

SECT. 10. Every such corporation may purchase and hold any real estate, necessary for the purpose of their association, not exceeding thirty thousand dollars in value. Corporation may hold real estate. 1821, 140, § 6.

SECT. 11. Any such corporation may, with the written consent of the selectmen of the town, dig up and open any street or way, for the purpose of placing such pipes, as may be necessary in constructing such aqueduct, or for repairing or extending the same; provided the same be done in such manner, as not to prevent the convenient passing of teams and carriages. May dig up highways or streets, by permission. 1821, 140, § 7.

SECT. 12. If any person shall maliciously injure any such aqueduct, or any of its appurtenances, he shall forfeit a sum, not exceeding twenty dollars, to the use of the town, to be recovered by indictment; and he shall also be liable in a civil action, brought by the corporation, to pay treble the amount of the damages sustained thereby. Penalty for injuring an aqueduct. 1821, 140, § 10.

SECT. 13. Any town in which such aqueduct is placed, may put conductors into the pipes thereof, for the purpose of drawing therefrom, free of expense, as much water as may be necessary, when any building shall be on fire in such town; provided that such conductors shall be so secured, that water shall not be drawn therefrom, unless for the purpose of extinguishing fires. Towns may draw water, in case of fires. 1821, 140, § 11.

CHAP. 83.

Continuance of certain corporate powers, after dissolution. 1821, 140, § 9.

SECT. 14. All contracts, made by or with such corporation, shall, after its dissolution, remain in force, and the last shareholders shall have a corporate capacity, until all contracts and agreements made by or with the corporation before its dissolution, shall be performed; and such shareholders shall continue liable and capable, in and by the same name as before such dissolution, to sue and be sued, and may prosecute and defend in all suits, respecting such contracts and agreements; provided, that every such suit shall be commenced within six years after such dissolution, or within the like time after the right of action shall have accrued.

Liability of corporations, in such case. 1821, 140, § 9.

SECT. 15. If no corporate property can be found to satisfy any judgment, which may be recovered against said shareholders, after such dissolution, and the judgment shall not be satisfied, within six months after the same shall have been recovered, the judgment creditor may satisfy the same out of the private estate of such shareholders, or any of them, as if the judgment had been against them in their private capacity.

Title to corporate property, after dissolution. 1821, 140, § 9.

SECT. 16. If such corporation shall, at its dissolution, be seized of any estate, the several persons, who are proprietors, shall become tenants in common thereof, in proportion to the shares or interests, which they shall then respectively hold in the stock of the corporation.

CHAPTER 84.

OF LIBRARIES AND THEIR PROPRIETORS.

- SECT. 1. Incorporation of proprietors of social libraries.
 2. Subsequent meetings, how called.
 3. Right to hold property.
 4. Officers, by laws, and proceedings.
 5. Corporate name.

- SECT. 6. Military library societies.
 7. Literary and scientific library associations.
 8. County law library associations.
 9, 10. Duties of treasurer and clerk thereof.

Incorporation of proprietors of social libraries. 1821, 141, § 1.

SECTION 1. Any seven or more persons capable of contracting, in any town or plantation, being proprietors in common of any library, may form themselves into a society or body politic, for the express purpose of holding, preserving, increasing and using such library; and any five of them may apply to a justice of the peace in the county, in which such town or plantation may be, in writing by them signed, to issue his warrant for calling a meeting of such proprietors, to be held at the time and place, and for the purposes stated in such application, who shall issue his warrant accordingly to some one of such proprietors; and it shall be the duty of such persons to notify the meeting by posting the purport of the warrant, in some public place in said town or plantation, or by giving personal notice to each of the proprietors, seven days or more before said meeting.

Subsequent meetings, how called. 1821, 141, § 1.

SECT. 2. At such meeting, the proprietors may agree on the mode of calling future meetings; each proprietor being entitled to give one vote.