

MAINE STATE LEGISLATURE

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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. 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.

SECT. 3. Such proprietors may hold real or personal estate, to the amount of five thousand dollars.

SECT. 4. Any seven or more proprietors may, at such meeting, choose a moderator, clerk, librarian, treasurer and such other officers, as may be necessary; and the clerk shall be sworn; and the treasurer shall give bond, with sufficient sureties, to said proprietors by their corporate name, faithfully to account for all moneys he may receive; and may also raise moneys, by vote and assessment on the several shares, as they may deem necessary or proper; and make by laws for the regulation of their concerns, not repugnant to the laws of the state, and annex penalties to their breach, not exceeding three dollars.

SECT. 5. Such proprietors, so incorporated, shall be called by the name of "the proprietors of the social library in the town (or plantation) of _____," and by that name may sue and be sued; and when there shall be more than one such library in said town or plantation, they shall be distinguished, by prefixing to the name, the word, "second," "third," according to the dates of incorporation.

SECT. 6. Any seven or more officers, in any division of militia, who shall in writing associate themselves, for the purpose of forming a military library society within the limits of the division, may become a body politic by that name, in the same manner as is prescribed in the first section of this chapter; except, that the notice shall be given, as aforesaid, in every town included in the division, twenty days before the meeting, or published in some newspaper printed within the limits of such division, for such time; and at such meeting, they may exercise all such powers, as are enumerated in the first section of this chapter.

SECT. 7. Any seven persons, who may have associated in writing, for the purpose of forming themselves into a society for holding, preserving and increasing a library of a literary and scientific character, for their use, or for any other literary or scientific purpose, may procure their incorporation, in like manner and with like powers, as are mentioned in the first section of this chapter, under any name and style, they may see fit to adopt.

SECT. 8. In every county, where five or more attorneys, admitted to practice in the district court, do or shall reside, it shall be lawful for any five of them, to procure themselves and the other attorneys, resident in the county, to be incorporated in the manner prescribed in the first section of this chapter, and the notification required, if posted up in some conspicuous part of the court house in such county, seven days previous to their meeting, shall be sufficient; and may take the name of "the trustees of the law library in the county of _____;" for the purpose of organizing the establishment of a law library in such county; and at such meeting which shall be held at some term of the district court in such county, they may choose a clerk, librarian, and treasurer, who shall all be sworn to the faithful discharge of their duty, and hold their offices during the pleasure of the corporation; and make all lawful regulations necessary; at which meetings the oldest member present, of the bar of the county, shall preside.

CHAP. 84.

Right to hold property.
1821, 141, § 1.
Officers, by laws, and proceedings.
1821, 141, § 2.

Corporate name.
1821, 141, § 3.

Military library societies.
1821, 141, § 4.

Literary and scientific library associations.
1830, 460, § 1.

County law library associations.
1821, 141, § 5.

CHAP. 84.

Duties of treasurer and clerk thereof.
1822, 192, § 3.

Same subject.
1822, 192, § 3.

SECT. 9. The treasurer of each library association, under the direction of the said trustees, shall apply all moneys received of the county treasurer, with all bequests and donations, to form a law library, under the appointed regulations; and the clerk shall keep an exact record of all the proceedings of the association.

SECT. 10. The treasurer shall keep an exact account of all moneys, donations and bequests, belonging to such association, which he shall, annually, settle with the association on oath, in such manner as shall be prescribed; and the said treasurer, librarian and the clerk shall be answerable for all misfeasance, in an action by the association. The treasurer shall, annually in January, and before the second Wednesday, deposit in the office of the state treasurer a statement of the funds received, the year preceding, by such association.

CHAPTER 85.

OF MANAGEMENT OF LANDS, WHARVES, AND OTHER REAL ESTATE, LYING IN COMMON.

- SECT. 1. Warrant for calling meetings.
2. To whom directed.
 - 3, 4, 5. Modes of giving notice.
 6. Officers, and manner of calling future meetings.
 7. Officers to be sworn.
 8. Proceedings at meetings, and by laws.
 9. How votes are to be counted.
 10. No business to be transacted, unless specified in the warrant.
 11. Prosecution and defence of actions.

- SECT. 12. Raising and assessment of moneys.
13. Publication of assessment.
 14. Payment enforced by sale.
 15. Right of redemption.
 16. Treasurer's power and duties.
 17. Management of property: Proxies.
 18. Proprietors' records, how preserved.
 19. Certain corporate powers continued, after final division.

Warrant for calling meetings of proprietors of common lands.
1821, 43, § 1.

To whom directed.
1821, 43, § 1.

Mode of giving notice.
1821, 43, § 1.

SECTION 1. When any five, or a major part of the proprietors of lands lying in common are desirous of a meeting of the proprietors, and shall apply to a justice of the peace throughout the state, or a justice of the peace for the county, in which the lands lie, he may issue his warrant for calling such meeting, at the time and place and for the purposes, distinctly stated in such application, which shall be in writing, and signed by such applicants or their agents.

SECT. 2. Such warrant may be directed to one of the proprietors, requiring him to notify said proprietors, of the time and place of the intended meeting, and the purposes of it.

SECT. 3. If the lands lie in one or more incorporated towns, a notice in writing shall be posted up in some public place within each town, in which any of said lands lie, and published in the newspaper published by the printer to the state, and in one of the newspapers printed in the county, where the lands or any part thereof lie, fourteen days before such meeting.