

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

BANGOR:
WHEELER & LYNDE.

1857.

CHAPTER 54.

AQUEDUCTS.

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

SEC. 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 any portion of the aqueduct is situated, or is proposed to be made, stating 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 warrant, with his notice annexed thereto, seven days at least before the meeting, in some public place in every town in which any portion of the aqueduct is, or is proposed to be made.

Meetings of proprietors for incorporation, how called.

R. S., c. 83, § 1.

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

Declared a corporation.

R. S., c. 83, § 2.

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

Mode of calling meetings; clerk to be chosen.

R. S., c. 83, § 3.

SEC. 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; and the subsequent transfer of shares shall be entered by him in said books, within three months after it is made, in such form and for such fees as the directors order; and no person shall be deemed a proprietor, whose share or interest is not so entered.

Registry of shares and transfers.

R. S., c. 83, § 4.

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Directors and other officers.
R. S., c. 83, § 5.
Assessments and collection thereof.
1856, c. 241.
R. S., c. 83, § 6.

SEC. 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 president.

SEC. 6. The directors may make such assessments on the proprietors of the shares in such aqueduct or funds as they find necessary; and if a proprietor fails to pay such assessment for thirty days after notice thereof, they may maintain an action on the case in their corporate name to recover the amount thereof, or 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 shall be first notified, by advertising in some newspaper printed in the county three weeks successively, or by posting up notifications thereof, twenty days at least before the sale, in some public places in each of the towns wherein such aqueduct is, or is proposed to be made; and the surplus moneys, if any, arising from such sale, shall be paid to the owner of the share so sold.

Penalties for breach of by-laws.
R. S., c. 83, § 7.
Manner of voting.
R. S., c. 83, § 8.

SEC. 7. Such corporation may impose penalties for the breach of any of their reasonable by-laws, not exceeding thirty dollars for each offence.

SEC. 8. At any meeting, the proprietors shall be entitled to one vote for each share by them held, and may vote by written proxy.

Transfer or attachment of shares.
R. S., c. 83, § 9.

SEC. 9. The shares in said 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.

Corporation may hold real estate.
R. S., c. 83, § 10.

SEC. 10. Such corporation may purchase and hold any real estate necessary for the purpose of their association, not exceeding thirty thousand dollars in value.

May dig up highways or streets, by permission.
R. S., c. 83, § 11.

SEC. 11. With the written consent of the municipal officers of the town, they may dig up and open any street or way for the purpose of placing pipes necessary in constructing such aqueduct, or for repairing or extending it, if it is done so as not to prevent the convenient passing of teams and carriages.

Penalty for injuring an aqueduct.
R. S., c. 83, § 12.

SEC. 12. If any person maliciously injures 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 be liable in a civil action, brought by the corporation, to pay treble the amount of the damages sustained thereby.

Towns may draw water in case of fires.
R. S., c. 83, § 13.

SEC. 13. Any town, in which such aqueduct is placed, may put conductors into its pipes for the purpose of drawing, free of expense, as much water as necessary when any building is on fire therein, if they are so secured that water is only drawn for extinguishing fires.

Continuance of certain corporate powers after dissolution.
R. S., c. 83, § 14.

SEC. 14. All contracts made by or with such corporation shall remain in force after its dissolution, and the last shareholders shall have a corporate capacity, until all their contracts and agreements made before its dissolution are performed, and continue liable and capable, by the same name, to sue and be sued, and to prosecute and defend in all suits respecting such contracts and agreements, commenced within six years after such

dissolution, or within the like time after the right of action accrued.

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

Liability of corporators in such case.
R. S., c. 83, § 15.

SEC. 16. If such corporation, at its dissolution, is 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 hold in the stock of the corporation.

Title to corporate property after dissolution.
R. S., c. 83, § 16.

CHAPTER 55.

LIBRARIES, AND CHARITABLE AND BENEVOLENT SOCIETIES.

- SEC. 1. Application to a justice of the peace to call the first meeting.
2. Notice of the meeting, how given.
 3. Manner of organizing into a body corporate. Powers, duties and liabilities incident thereto.
 4. What estate, real and personal, it may hold, and for what purpose.
 5. Corporations for charitable and benevolent purposes not to sue their members, or be sued by them, for dues or benefits.
 6. County law library association, how organized.
 - 7, 8. Duties of treasurer and clerk thereof.
 9. Towns may establish public libraries.
 10. May raise money therefor.
 11. May receive and manage donations and bequests for that purpose.

SEC. 1. When seven or more persons desire to be incorporated as the proprietors of a social, military, literary, scientific, or a county law library; as a masonic lodge, or chapter of any order or degree; as a lodge of the independent order of odd fellows; as a division of the sons of temperance; as a tent of Rechabites; or as a society to promote in any way the cause of temperance; or for any literary, scientific, musical, charitable, or benevolent purpose whatsoever, they may apply in writing to any justice of the peace in the county, and he may issue his warrant, directed to one of said applicants, requiring him to call a meeting of the applicants, at such time and place as the justice appoints.

Application to a justice of the peace to call the first meeting.
1856, c. 253.
R. S., c. 84, § 1, 4, 6, 8.
1847, c. 14, § 1.

SEC. 2. He may call it, by reading the warrant in the presence and hearing of each, or by leaving an attested copy thereof at his last and usual place of abode, at least fourteen days before the day of meeting, or by publishing an attested copy thereof in some newspaper, printed in said county, two weeks successively, the first publication to be at least fourteen days before the day of meeting.

Notice of the meeting, how given.
R. S., c. 84, § 1.
1847, c. 14, § 2.

SEC. 3. When assembled pursuant to the warrant, they may organize themselves into a corporation, with such name as they

Manner of organizing