

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE
1954

1955 SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 2

**Place in Pocket of Corresponding
Volume of Main Set**

THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
1955

an agent as required by this section shall be deemed to have appointed the secretary of state, or his successor in office, to be his true and lawful attorney upon whom may be served all lawful processes in any action or proceeding against such corporation, arising as a result of such corporation doing business in this state and such service shall be of the same legal force and validity as if otherwise served on such corporation.

Service of such process shall be made by leaving a copy thereof with a fee of \$2 in the hands of the secretary of state, or in his office, and such service shall be sufficient service upon such foreign corporation; provided that notice of such service and a copy of the process are forthwith sent by registered mail by the plaintiff to the defendant corporation, and the defendant corporation's return receipt and the plaintiff's affidavit of compliance herewith are appended to writ and are filed with the clerk of courts in which the action is pending, or that such notice and copy are served upon an officer of such foreign corporation if found within the state, by an officer duly qualified to serve legal process, or, if found without the state, by any duly constituted public officer qualified to serve like process in the state or jurisdiction where such officer is found, and the officer's return showing such service to have been made is filed in the case on or before the return day of the process or within such further time as the court may allow. The court in which the action is pending may order such continuance as may be necessary to afford the defendant corporation reasonable opportunity to defend the action. (R. S. c. 49, § 123. 1949, c. 5. 1955, c. 24.)

Effect of amendment.—The 1955 amendment added the above two paragraphs at the end of this section. As the two original paragraphs of the section were not changed by the amendment, they are not set out.

Sec. 133. Liability of officers.—The officers of such foreign corporations shall be jointly and severally liable for all the debts and contracts of the corporation contracted or entered into while they are officers thereof, if any statement or report required by the provisions of the 6 preceding sections, made by them, is false in any material representation and known to them to be false; but only the officers who sign such statement or report shall be so liable. (R. S. c. 49, § 129. 1955, c. 405, § 34.)

Effect of amendment.—The 1955 amendment deleted the word "and" before the word "if" in line three.

Sec. 135-A. Fees to foreign charitable corporations.—Foreign charitable corporations shall be exempt from the payment of any fees payable by foreign corporations to the secretary of state. (1955, c. 224.)

Chapter 54.

Corporations without Capital Stock.

Chapter cited in *Thirkell v. Johnson*,
150 Me. 131, 107 A. (2d) 489.

Organization. Powers. General Provisions.

Sec. 1. Organization.—When 7 or more persons desire to be incorporated as proprietors of a social, military, literary, scientific or county law library; as a masonic lodge or chapter of any order or degree; as a masonic association consisting of members of different orders or degrees; as a lodge of the independent order of odd fellows; as a lodge of the knights of Pythias; as a tribe of the improved order of redmen; as a division of the sons of temperance; as a tent of the rechabites; as a grange of patrons of husbandry; as a council of the sovereigns

of industry; as a lodge of the benevolent and protective order of elks; as a grand army post; as an American legion post; as a veterans of foreign wars post; as a council of the boy scouts of America; as a relief or benefit association for mutual assistance; as a cemetery association; as a monument or memorial association; as a society to promote temperance; as a village improvement society; as an association for the promotion of good municipal government, as a chamber of commerce or board of trade; as a chapter of the disabled American veterans; as a post of the American veterans of World War II; as a local citizens' group to foster, encourage and assist the location, settlement or resettlement of industry, manufacturing and other business enterprises in any locality within the state; as a yacht club; or for the purpose of preserving and maintaining a family homestead and the rights of descendants and of members of the family therein: or for any literary, scientific, musical, charitable, educational, social, military, agricultural, moral, religious or benevolent purpose, they may apply in writing to any justice of the peace in the county, who may issue his warrant, directed to one of said applicants, requiring him to call a meeting thereof at such time and place as the justice may appoint. (R. S. c. 50, § 1. 1951, c. 143. 1955, c. 302.)

Effect of amendment.—The 1955 amendment inserted the provisions as to a chapter of the disabled American veterans, a post of the American veterans of World

War II, and a local citizens' group to foster, etc., industry, manufacturing and other business enterprises.

Sec. 5. Power to hold property.—Every corporation organized under the provisions of the preceding sections may take and hold by purchase, gift, devise or bequest, personal or real estate, in all not exceeding in value \$500,000 or in any one town 10% of that town's state valuation, whichever is lower, owned at any one time, and may use and dispose thereof only for the purposes for which the corporation was organized. Provided, however, that any corporation organized under the provisions of this chapter for the purpose of establishing and maintaining a hospital, a free public library or a school or academy accredited by the department of education and conducted on a nonprofit basis, or a laboratory exclusively engaged in research for the benefit of mankind, or a private vocational school conducted on a nonprofit basis may receive and hold real and personal estate to any amount, which may from time to time be given, granted, bequeathed or devised to it and accepted by the corporation for the uses and purposes of said hospital, free public library, school or academy or laboratory provided always, that both the principal and income thereof shall be appropriated according to the terms of the donation, devise or bequest. (R. S. c. 50, § 5. 1947, c. 141. 1949, cc. 25, 197. 1951, c. 316. 1955, c. 280.)

Effect of amendment.—The 1955 amendment inserted in the first sentence the words "or in any one town 10% of that

town's state valuation, whichever is lower."

Chapter 55.

Credit Unions.

Sec. 10. Capital.—The capital of a credit union shall be unlimited in amount and shall consist of shares which may be subscribed for and paid for in such manner as the by-laws shall prescribe; provided that the par value of the shares shall be \$5. The maximum amount of shares which may be held by any 1 member shall be established from time to time by resolution of the board of directors; but at no time shall the amount held by any 1 member exceed \$2,500 in shares. A credit union may require from a member 90 days' notice of his intention to withdraw any funds which he may have in the said credit union. Subsection V of section 19-G