

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE
1954

1959 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 2

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THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
1959

Sec. 137. Issue of bonds payable by installments.—Any corporation organized under the laws of this state, having occasion to issue bonds, may make them payable in installments of uniform or increasing amounts extending over a period not exceeding 50 years. Provisions shall be made for the payment of not less than 1% of the whole issue each year and, in case the time of payment extends over a period of 50 years, the installments shall cover the whole issue. In case the time of payment extends over a period of less than 50 years, a portion of the issue greater than the regular installment may be made payable at the end of the period. Limitations upon the time for which bonds may be issued are modified in accordance herewith. This section shall not be construed to prevent any corporation organized under the laws of this state from issuing bonds and making them payable in the same manner as it might do, if this section were not enacted. No bonds issued prior to the 3rd day of July, 1909, if valid in other respects, shall be deemed invalid on account of any failure to comply with the provisions of this section. (R. S. c. 49, § 133. 1957, c. 405, § 8.)

Effect of amendment.—The 1957 amendment deleted the former references in this section to “county, city, town or water district” and made other minor changes.

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.

The limitations of this section as to the holding of real and personal property shall not apply to a corporation formed under the provisions of this chapter for the purpose of fostering, encouraging and assisting the physical location, settlement and resettlement of industrial and manufacturing enterprises within the state. (R. S. c. 50, § 5. 1947, c. 141. 1949, cc. 25, 197. 1951, c. 316. 1955, c. 280. 1957, c. 430, § 5.)

Effect of amendments. — 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."

The 1957 amendment added the last paragraph to this section.

The general plan established by the legislature in the enabling act is not altered

by chapter 430. See *Martin v. Maine Savings Bank*, 154 Me. 259, 147 A. (2d) 131.

Chapter 430 of P. L. 1957 supplements the M. I. B. A. Enabling Act P. L. 1957, chapter 421 in matters of detail and has no life or purpose apart from the enabling act. *Martin v. Maine Savings Bank*, 154 Me. 259, 147 A. (2d) 131.

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. The par value of the shares shall be \$5. The maximum amount of shares which may be held by any one member shall be established from time to time by resolution of the board of directors. 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 of chapter 59, with reference to joint accounts, shall apply to credit unions. (R. S. c. 51. 1945, c. 273. 1955, c. 380, § 3. 1957, c. 34.)

Effect of amendments. — The 1955 amendment substituted, in the last sentence, the reference to subsection V of § 19-G of chapter 59 for a reference to § 40 of chapter 59.

The 1957 amendment deleted a former clause which provided that at no time shall the amount held by any one member exceed \$2,500 in shares.

Sec. 16. Powers and duties of directors.—The board of directors shall have the general direction of the affairs of the corporation and shall meet as often as may be necessary, but not less than once each month. It shall act upon all applications for membership and upon the expulsion of members; determine the rate of interest on loans subject to the limitations contained in this chapter; shall decide on all applications for real estate mortgage loans after receipt of the certifi-