

# MAINE STATE LEGISLATURE

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CHAPTER 91

PROPRIETORS OF LANDS AND WHARVES

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SUBCHAPTER I

MEETINGS AND ORGANIZATION

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§ 2691. Warrant for calling meetings

When any 5 or a majority of the proprietors of lands or wharves held in common desire a meeting of the proprietors for the purpose of forming a corporation or for any other purpose, they may make written application signed by them or their agents to any justice of the peace residing in the county in which the lands or wharves are situated. Said justice shall thereupon issue his warrant calling a meeting at the time and place and for the purposes distinctly stated in the application, directed to one of the proprietors, requiring him to give notice thereof.

R.S.1954, c. 54, § 20.

§ 2692. Notice

If the lands lie in one or more incorporated towns, a notice in writing shall be posted in some public place in each, and published in the state paper, and in one of the newspapers printed in the county where any part of them lies, 14 days before the meeting; but if not, in the state paper, and in one other newspaper, if any, in the county where any part of them lies, 4 weeks successively next before the meeting; or the meeting may be

warned by posting written notifications in some public place in each town where any proprietor resides, 14 days before the time appointed therefor.

R.S.1954, c. 54, § 21.

**§ 2693. Business specified in warrant; votes counted**

No business shall be acted upon at any meeting unless distinctly expressed in the warrant therefor. The proprietors' votes shall be counted according to the interest of each in the common lands, if known, and in that way the moderator shall make certain all doubtful votes. They may pass bylaws as to the management, improvement, division and disposal of their lands or wharves, subject to the approval of the county commissioners of the county where the lands lie, and may annex penalties to the breach of them, not exceeding \$3 for one offense, to be disposed of as they direct.

R.S.1954, c. 54, § 24.

**§ 2694. Raising and assessment of moneys; publication**

At any legal meeting, the proprietors may raise money for bringing forward, completing the settlement of, managing or improving said lands, or for their common good, and assess the same according to their interests in the lands. The treasurer, collector or committee shall publish such assessment in the same manner as a meeting of the proprietors is notified.

R.S.1954, c. 54, § 26.

**§ 2695. Management of property; proxies**

A majority of proprietors present at any legal meeting may order, manage, improve, divide or dispose of their lands as they choose; and may vote in person or by attorney appointed in writing.

R.S.1954, c. 54, § 30.

## SUBCHAPTER II

## OFFICERS

Sec.

2731. Officers; future meetings.

2732. Officers sworn.

2733. Treasurer's powers and duties.

**§ 2731. Officers; future meetings**

At such meeting, such proprietors as assembled in person or by attorney may organize into a corporation if not already so organized, choose a moderator, clerk, treasurer, assessors, collector of taxes, committees and other needful officers; and may by vote decide upon the manner of calling and notifying future meetings.

R.S.1954, c. 54, § 22.

**§ 2732. Officers sworn**

The clerk, treasurer, assessors and collector shall be sworn by the moderator or a justice of the peace, and the clerk shall record the votes passed at all meetings.

R.S.1954, c. 54, § 23.

**§ 2733. Treasurer's powers and duties**

The treasurer may sue for and collect all debts due to the proprietors and shall render his account of all moneys received and paid; and he shall hold his office during their pleasure.

R.S.1954, c. 54, § 29.

## SUBCHAPTER III

## RECORDS

Sec.

2771. Deposit with town clerk.

**§ 2771. Deposit with town clerk**

After a final division of their common property, the proprietors shall cause their records to be deposited in the office of the clerk of the town in which some part of such land lies. He may record votes and certify copies of such records as the proprietors'

clerk might have done. The last clerk chosen shall continue in office until the records are so deposited.

R.S.1954, c. 54, § 31.

#### SUBCHAPTER IV

#### MISCELLANEOUS

Sec.

- 2811. Prosecution and defense of actions.
- 2812. Assessment collected by forced sale.
- 2813. Right of redemption.
- 2814. Continuation for 10 years after final division.

#### § 2811. Prosecution and defense of actions

The proprietors may prosecute and defend civil actions by their agent, and the certificate of the proprietors' clerk is evidence of such agency.

R.S.1954, c. 54, § 25; 1963, c. 414, § 38.

#### § 2812. Assessment collected by forced sale

If any proprietor neglects to pay his assessment to the treasurer, collector or committee for 6 months, if he resides in the State, otherwise for 12 months, then the committee may, from time to time, sell at auction so much of his right in the common lands as is sufficient to pay his tax and the reasonable charges of sale, after notice thereof posted as provided and published in 2 of the newspapers before named, 5 weeks successively next before the time of sale; and may give deeds thereof in fee to the purchaser.

R.S.1954, c. 54, § 27.

#### § 2813. Right of redemption

The proprietor of the right so sold may redeem it within a year by paying to the committee the sum for which it was sold, with \$12 for each hundred produced by such sale, and in that proportion for a greater or less sum.

R.S.1954, c. 54, § 28.

**§ 2814. Continuation for 10 years after final division**

A final division shall not dissolve the corporation until 10 years thereafter; but the last proprietors in common and their heirs shall continue in their corporate capacity for the collection and payment of all debts due to or owing by the corporation; and may call and hold meetings, and vote assessments to pay their debts and all other charges necessary for closing their business.

R.S.1954, c. 54, § 32.