

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 1030**

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S. P. 397

In Senate, February 22, 1967

Referred to Committee on Education. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Albair of Aroostook.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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### **AN ACT Relating to Ricker Classical Institute and Ricker College.**

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**Preamble.** Whereas, the trustees of Houlton Academy was incorporated by chapter 10 of the private and special laws of 1847; and

Whereas, chapter 10 of the private and special laws of 1847 has been amended by Acts of the Legislature from time to time as follows: Chapter 90 of the private and special laws of 1887, chapter 37 of the private and special laws of 1939, chapter 42 of the private and special laws of 1949, and chapter 140 of the private and special laws of 1965, which last mentioned Act constituted an amendment to said chapter 10 of the private and special laws of 1847 and not a repeal thereof as erroneously stated therein; and

Whereas, pursuant to the provisions of chapter 140 of the private and special laws of 1965 the correct corporate name of the corporation created by chapter 10 of the private and special laws of 1847 is now Ricker Classical Institute, and said Ricker Classical Institute now has all of the rights, powers and privileges set forth in said chapter 140 of the private and special laws of 1965; and

Whereas, Ricker College was incorporated by chapter 139 of the private and special laws of 1965 with a view to providing for 2 separate educational corporations, Ricker Classical Institute, the corporation created by chapter 10 of the private and special laws of 1847 and Ricker College, the corporation created by chapter 139 of the private and special laws of 1965; and

Whereas, following the effective date of chapter 139 and chapter 140 of the private and special laws of 1965, Ricker College was organized pursuant to chapter 139, and all of the real and personal property held by Ricker Classical Institute, the name of which had been formerly Ricker Classical Institute and

Ricker College, was conveyed, transferred and assigned or purported to be conveyed, transferred and assigned, by said corporation under said former name to said Ricker College, the corporation created by chapter 139 of the private and special laws of 1965; and

Whereas, it now appears that there is no need to continue Ricker College and Ricker Classical Institute as separate educational corporations, and that the original corporation, trustees of Houlton Academy now Ricker Classical Institute, should be the continuing corporation and all property, assets, rights, powers and privileges should be vested in said continuing corporation; now, therefore,

Be it enacted by the People of the State of Maine, as follows :

**Sec. 1. P. & S. L., 1847, c. 10, amended.** Chapter 10 of the private and special laws of 1847, as amended by chapter 90 of the private and special laws of 1887, chapter 37 of the private and special laws of 1939, chapter 42 of the private and special laws of 1949 and chapter 140 of the private and special laws of 1965, is further amended to read as follows :

**Corporators; corporate name; powers and privileges.** Joseph Carr, Junior, Leonard Pierce, Zebulon Ingersoll, John Hodgdon, Jeremiah Trueworthy, Shepard Cary, Zenas P. Wentworth and Benjamin L. Staples, their associates, successors and assigns, are hereby constituted a corporation by the name of Ricker ~~Classical Institute~~ **College**; and by ~~this such~~ name may sue and be sued, have a common seal, make such bylaws, not repugnant to the laws of this State, as they deem expedient for the management of its affairs, fill all vacancies occurring in their number, take and hold any estate, personal or real, that it may now possess, or may hereafter receive by donation or otherwise, **including trust funds**, the annual income of which shall be faithfully applied to promote the cause of **higher** education; and ~~the said Ricker Classical Institute College aforesaid~~ **the said Ricker Classical Institute College** is entrusted with all the powers and privileges incident to similar **educational** corporations, **including, without limiting the generality of the foregoing the power to borrow money, issue bonds, notes and other obligations, mortgage and pledge its properties and income derived therefrom and from its operations, and accept gifts or grants from Federal or State Governments and from any other sources.** Said Ricker ~~Classical Institute~~ **College** shall have the power to ~~grant such diplomas as are customarily granted by secondary schools~~ **confer honors and degrees usually granted by institutions of higher learning, including, but not restricted to, the degrees of Bachelor of Arts and Bachelor of Science.**

**Sec. 2. Validation; conveyance of property.** Ricker College, the corporation created by chapter 139 of the private and special laws of 1965, the incorporation of which is hereby in all respects validated and confirmed, is hereby authorized and empowered to convey, transfer and assign to the corporation created by chapter 10 of the private and special laws of 1847, now the Ricker College designated in section 1 of this Act, all property and assets of every nature and description owned or held by it, real and personal, tangible and intangible, including without limitation, all contract rights of every nature and description and all property and assets transferred to it by Ricker Classical Institute, under its own name or its former name of Ricker Classical Institute and Ricker College,

subsequent to September 3, 1965, and prior to the effective date of this Act, and the trustees of said Ricker College are hereby directed to cause such conveyance, transfer and assignment to be effected prior to November 1, 1967.

**Sec. 3. Liable for debts and liabilities.** The corporation created by chapter 10 of the private and special laws of 1847, which has been in continuous existence since 1847 and is now the Ricker College designated in section 1 of this Act, shall be liable and responsible for all debts, liabilities and other obligations, contractual or otherwise, of Ricker College, the corporation created by chapter 139 of the private and special laws of 1965, upon the conveyance to it of all property and assets of said Ricker College pursuant to section 2 of this Act, and thereupon all acts of Ricker College, a corporation created by chapter 139 of the private and special laws of 1965, and of the trustees and officers thereof since its incorporation, shall be deemed to be the acts of the corporation created by chapter 10 of the private and special laws of 1847, now the Ricker College designated in section 1 of this Act.

**Sec. 4. Dissolution.** Effective November 1, 1967, Ricker College, the corporation created by chapter 139 of the private and special laws of 1965, shall be dissolved and its corporate existence shall be terminated, and all property and assets of every nature and description, real and personal, tangible and intangible, and all contract rights that said Ricker College shall own as of such date shall thereupon belong to and be vested in the corporation created by chapter 10 of the private and special laws of 1847, now the Ricker College designated in section 1 of this Act.