

MAINE STATE LEGISLATURE

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Sixty-Fifth Legislature.

HOUSE.

No. 285.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-ONE.

AN ACT to provide, in addition to the provisions of law as now provided in the 43d and the eighteen following sections of the 22d chapter of the Revised Statutes, for the repairing of Dikes and Dams.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECTION 1. In addition to the provisions of law for
2 repairing dikes and dams, as now provided in the 43d and
3 the eighteen following sections of the 22d chapter of the
4 Revised Statutes, the proprietors of any meadow, swamp,
5 marsh, beach or other low lands, after the completion of
6 the dams, dikes, and removal of obstructions as provided
7 in said 22d chapter, may hold regular meetings when they

8 adjudge proper, make such rules for the maintenance and
9 preservation of such dikes and dams as their common
10 interest require.

SECT. 2. Upon written application of any three or more of
2 said proprietors to any justice of the peace, he shall issue his
3 warrant to one of the applicants requiring him to call a
4 meeting of the proprietors, expressing in said warrant the
5 time, place and purposes thereof.

SECT. 3. Notice of said meeting shall be served at least
2 fourteen days previous to the time appointed therefor,
3 when all the proprietors reside in the town where the
4 land lies, by reading the warrant to each proprietor, or
5 giving him a copy in hand, or by leaving a copy at his
6 usual place of abode; and in case one or more of the pro-
7 prietors reside without the town or plantation, notice of
8 such meeting shall be given them by publishing a copy of
9 such warrant in some newspaper printed in the county or
10 in the State paper three weeks successively, the last pub-
11 lication to be at least fourteen days before the time
12 appointed for said meeting.

SECT. 4. At such meeting and all other meetings of
2 said proprietors each shall have one vote for every acre
3 owned by him and one vote for a fraction of an acre greater
4 than one-half. Absent proprietors may vote by written
5 proxy.

SECT. 5. At such meeting said proprietors may by vote
2 elect a clerk, three or five assessors, a collectors and such
3 other officers and committees as may be deemed needful,
4 and may adopt such needful by-laws and standing regula-
5 tions as are not inconsistent with law; and may determine
6 the manner of calling and notifying future meetings. The

7 clerk, assessors and collector shall each be sworn. The
8 clerk may be sworn by the moderator presiding at the
9 meeting of his election. Officers, elected at the annual or
10 other meetings shall continue in office until others are
11 chosen and qualified in their stead.

SECT. 6. At or immediately after the first meeting the
2 clerk shall enter in a suitable book the names of the several
3 proprietors and the number of acres owned by each, and
4 the subsequent transfer of interest shall also be entered by
5 him, within three months after it is made, if known to him.

SECT. 7. At any meeting called for the purpose, a com-
2 mittee of not less than three may be chosen to investigate
3 the condition of such dikes and dams, to ascertain what
4 repairs are needful, and report at an adjourned meeting, at
5 which meeting the same or any other committee chosen
6 therefor may be authorized to make needful repairs, and
7 report the expense thereof at an adjourned or other meeting.

SECT. 8. At any meeting called for that purpose said
2 proprietors may raise money for defraying common
3 charges and for the payment of cost and expenses of such
4 repairs as may have been incurred under the preceding
5 section, which shall be assessed upon the proprietors by
6 the assessors in proportion to their several interests, and
7 which they shall commit to the collector for collection by
8 an appropriate warrant for its collection, directing him to
9 pay it over to the clerk or other proper officer designated
10 by vote of the proprietors, and the collector shall have
11 the same power and shall collect the same as collectors of
12 towns are authorized to collect town taxes.

SECT. 9. If any proprietor declines to cultivate, use or
2 take profit from his portion of such lands, and gives written

3 notice of his intention so to do to the clerk of the propri-
4 etors he shall not be regarded as liable to pay any tax or
5 assessment on account of his portion thereof, while he
6 neglects to cultivate, use and take profit therefrom, nor
7 shall he be entitled to vote at the meetings of said pro-
8 prietors.

SECT. 10. A two-thirds part in interest of the proprietors
2 entitled to vote at any legal meeting called for that purpose
3 may discontinue their association, but not to take effect
4 until six months after the vote for that purpose.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 18, 1891. }

Reported by Mr. CHADBOURNE of Biddeford, from Committee on
Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*