

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL

ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

THIRTEENTH LEGISLATURE,

AT ITS SESSION COMMENCING JANUARY 2, 1833.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

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1833.

terville, and Clinton ten days at least previous to the time of holding said meeting.

CHAPTER 346.

AN ACT to incorporate the Bangor House Proprietary.

Approved February 26, 1833.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That William Emerson, Rufus Dwinel, William D. Williamson, Thomas A. Hill, Amos Patten, Wiggins Hill, Levi Cram, Abner Taylor, John C. Dexter, George W. Pickering, Samuel Smith, George F. Hills, Stephen Giddings, Charles Thomas, Jabez Bradbury, Moses Patten, Theodore B. McIntire, Salmon Niles, Otis Small, James Thomas, Waldo T. Pierce, Hayward Pierce, Benjamin Nourse, Isaac Hodsdon, Alexander Savage, William B. Reed, Richard Treat, Alvan Haynes, John Sargent, Stephen Gilman, Willis Patten, James McLaughlin, Albert G. Jewett, John Hodgdon, Ebenezer G. Rawson, James B. Fiske, Joshua P. Dickinson, Samuel C. Bradbury, Elias T. Aldrich, Daniel B. Hinkley, Henry Call, and Benjamin Tainter, their heirs, successors and assigns,—proprietors of the following described real estate, situate in Bangor in the County of Penobscot, bounded westerly on Main Street, northerly on Union Street, easterly on lands owned by the heirs of the late Isaac Davenport, and southerly on May Street, be and they are hereby with their respective shares and interests in said estate, made a body corporate, by the name of the *Bangor House Proprietary*; *Provided*, there be erected on the said premises, a commodious building with suitable accommodations for travellers, within five years from the passing of this Act.

Names of persons incorporated.

Name of Corporation.
Proviso.

SECT. 2. *Be it further enacted,* That the said Corporation at any meeting legally notified, be hereby empowered

Corporation may choose Directors—their duties.

Clerk—his duties.

Treasurer—his duties.

Collector—his duties.

Tenure of the several offices.

Corporation authorized to vote to raise money &c.

Assessments to be made on each share equally.

to choose a Committee of five Directors, who shall call meetings, assess taxes voted by the Corporators to be raised, draw on the Treasurer for moneys, and superintend and manage the prudential affairs of the Corporation: a Clerk, who shall record the warrants for calling meetings, the votes given therein, the assessments made and the other doings thereof: a Treasurer, who shall receive all moneys, and in the name of the Corporation prosecute and sue, if need be, for all dues and claims thereto belonging, and pay out moneys only on the written order of said Committee: a Collector, who shall (as any other Corporator may) warn meetings, collect assessments, and pay the same forthwith to the Treasurer; and such other officers and agents, as the Corporation may think needful; which Committee and other officers shall, severally, hold their offices one year, and until others, chosen in their stead, shall accept. And the records of said Corporation made by such Clerk, shall be as valid in law, as those of towns are; the said Clerk, and also the Treasurer, first to be sworn by some Justice of the Peace to the faithful performance of their trust respectively.

SECT. 3. *Be it further enacted,* That the said Corporation shall have power, by vote at any legal meeting, to raise money sufficient for erecting, finishing, improving, enlarging, altering, keeping in repair and rendering more valuable, any such building, or buildings and fences, as may be voted by said Corporation, to be built or done on said premises, and for necessary expenses, incident to said enterprise and establishment; to commence, prosecute and defend any suits at law, wherein the Corporation is party or interested, and wherein no member is to be excluded from being a witness, merely on account of his corporate interest; to make any rules, orders, or by-laws, not repugnant to the laws of the State; to lay and assess all sums of money duly voted to be raised, upon the shares, rights and interests in said corporate estate, equally and rateably, according to the number of shares therein; and to have a common seal, which the Corporation may alter and use at pleasure. And if any Corporator neglect or fail, for the

space of thirty days, to pay the money assessed upon his share or shares, the Treasurer is hereby authorized to sell at public vendue, to the highest bidder and certify to him in writing, so many of the delinquent's shares in said Corporation, as shall be sufficient to pay and satisfy said tax or assessment, and all reasonable charges, attending such sale,—notice of the time, place and occasion of such sale being first given, by publishing the same two weeks successively in any newspaper printed in said Bangor, the last publication to be four days, prior to the day of sale;—or said notice may be otherwise given, by posting the same, fourteen days prior to the sale, in two public places in said Bangor,—a copy of said notice, in either case, to be given to said delinquent, his agent, or legal representative, or left at his last or usual place of abode, or put into the post office in a letter and superscribed to him, fourteen days prior to the day of sale; and the Treasurer's written certificate, of such notice and of the sale, or a copy of the Clerk's records of the same, shall be sufficient evidence thereof; and the excess of the proceeds of sale (if any) above the said assessment and incidental charges of sale, shall be paid over by the Treasurer, to such delinquent or his legal representative on demand,—the Treasurer's fees in such cases to be the same as are allowed to civil officers for similar services; and the purchaser of such share or shares, shall be entitled to all the rights and interest, which belonged to said delinquent at the time of said sale: *Provided* however, that any Corporator, whose share or shares shall be sold, shall have a right to redeem the same, at any time within thirty days, after the day of such sale, by repaying to the Treasurer the purchase-money, together with his fees, and five *per centum* on the amount of sale,—the latter to be for the purchaser's use.

If assessments are not paid within thirty days, shares may be sold.

Proceeding required in such case.

SECT. 4. *Be it further enacted*, That the whole property of said Corporation, be and the same is hereby declared to be personal estate, divided into one hundred shares; and every Corporator shall have a right to give as many votes in any meeting of the Corporation, as the number of shares, he owns at the time. But the estate of said Corporation

Property of said Corporation declared to be personal Estate.

shall never be subject to partition into severalty, unless by the united votes of every Corporator; nor shall the proprietor of any share or shares, be liable in his person or property for any tax, assessment or demand beyond his interest in said Corporation; though every share shall be perpetually pledged and holden to the Corporation for all the assessments made and all debts due thereto.

Assessments may be made on each share (after the buildings are erected) for certain purposes.

SECT. 5. *Be it further enacted,* That the members of said Corporation at any legal meeting, shall have further power, after buildings are erected on said premises to assess and collect in manner aforementioned such sums of money or taxes on the several shares, as may be by them laid or assessed thereon, for the purpose of furnishing the said buildings with household furniture, and other articles and things, which they may deem fit and necessary for the use and occupancy of said estate; also the Corporation may appropriate, so much of the rents and income of said estate, as may be judged expedient, towards repairing or replacing such furniture, and other articles purchased.

First meeting—how to be called.

SECT. 6. *Be it further enacted,* That the first meeting of said Corporation shall be called by some one of its members, being a Justice of the Peace, and warned by posting notifications of the time and place, in two public places in said Bangor, fourteen days before such meeting; or by publishing such notification in any newspaper printed in said town, two weeks successively prior to such meeting; and all subsequent meetings shall be called by a majority of said Committee, and notified in the same manner until the Corporation shall prescribe a different mode of notifying meetings.

Instruments under the seal of said Corporation shall be signed by the Treasurer &c.

SECT. 7. *Be it further enacted,* That all contracts, leases and other instruments under the seal of said Corporation shall be signed by the Treasurer and be valid in law.