

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE,

1855.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

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1855.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1855.

CHAP. 171. court shall protect the defendant against any suit in the name of the assignee.

SECT. 2. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 16, 1855.]

Chapter 171.

An act to amend "An act in relation to the returns of railroad corporations."

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

Section second of "An act in relation to the returns of railroad corporations," approved August fifteenth, eighteen hundred and forty-nine, is hereby amended by striking out, in the fourth line, the words "at the commencement of," and inserting instead thereof the word "during," so that said section, as amended, will read as follows:

Returns of railroad corporations, when to be prepared in tabular form for the use of legislature.

SECT. 2. It shall be the duty of the secretary of state to arrange the information which may be contained in such reports, in a tabular form, and prepare the same in a single document for the use of the legislature during its session.

[Approved March 16, 1855.]

Chapter 172.

An act to authorize the owners of meeting-houses to sell or remove or repair the same.

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

Proprietors of meeting-houses, &c., authorized to repair or dispose of the same.

SECT. 1. The owners of pews, or the proprietors of, or in any meeting-house in this state, are hereby empowered to repair, remodel, sell and convey, their house and the lot of land on which it stands, or the house without the land, or remove or rebuild the same, provided that a majority of the owners or proprietors of such house and land present at any legal meeting called for that purpose, shall authorize the same. The warrant calling such meeting shall be posted upon said meeting-house in the usual place of posting notices, and in one other public place in the precinct where said meeting-house is situated, at least fourteen days before the day of meeting, signed by at least five of the said owners or proprietors,

Warrant for calling meeting.

and shall set forth distinctly the object of said meeting; or notice may be given by publishing said warrant in a newspaper published in the county where said house is situated, at least fourteen days before the day of meeting. CHAP. 172.

SECT. 2. Before any alteration or sale of any meeting-house shall be made under the foregoing section, an appraisal of the relative value of the pews in said house shall be made by three discreet persons under oath, to be elected by ballot at any legal meeting of said owners or proprietors; and in case a sale of said house and land shall be made, and it may be made at private or public sale, as shall be determined at the meeting aforesaid, the proceeds of said sale shall be applied, first, to pay the expenses of said sale, second, to the payment of all debts and just claims against said property; and the balance which may remain shall be paid to the pew owners or proprietors of said property, in proportion to their respective interests as determined by the appraisal aforesaid. Appraisal.
Proceeds of sale,
how applied.

And if the majority of such owners or proprietors shall determine to alter or rebuild their said meeting-house, the said appraisers shall, after the work of altering or rebuilding shall have been completed, assign to the pew holders in the former house, pews to conform as near as practicable to those previously held by them; and the new pews may be sold under the direction of any legal meeting, towards defraying the expenses of the repairs and alterations, or be otherwise disposed of, as said proprietors or pew owners may determine at a legal meeting. The owners or proprietors aforesaid may, at any legal meeting as aforesaid, choose officers, raise and assess taxes on the pews in said houses, and collect the same, for the sole purpose of making such repairs and alterations in their said houses, and may do all those things which a parish can, in virtue of the authority legally vested therein. Pews, how
disposed of in
case of repairing
or rebuilding.

Taxes may be
raised, &c.

And the proprietors or owners, at their meeting aforesaid, shall appoint some suitable agent or agents to make the sale and conveyance as aforesaid, or to make the repairs and alterations authorized by a legal meeting, and they may also appoint a treasurer or trustees to receive and distribute the proceeds of said sale in manner before provided. Agents may be
appointed to
make sale, &c.

SECT. 3. If any owners or proprietors as aforesaid are not able to call a legal meeting, by reason of lapse of time or failure of organization, or any other cause, an application may be made by any five or more of such owners or proprietors, to a justice of the peace, to issue his warrant appointing a time and place for the owners or proprietors of any meeting-house, to meet and organize themselves for the purpose of making such sale, alteration, repairs or removal, Meetings, how
called in certain
cases.

CHAP. 172. which warrant shall be served upon the owners and proprietors personally, by a written or printed copy of said application, and warrant, or by posting the same on said meeting-house, and at one other conspicuous place in the precinct where said house is situated, at least fourteen days before the time appointed for such meeting. And said application shall set forth specifically the objects of such meeting. And the meeting thus called shall be empowered to adopt such measures in regard to the objects so set forth, and appoint such officers to carry them into effect, as a majority of said owners or proprietors may at such meeting determine.

Meeting, powers of.

Proprietors, dissenting from proceedings of meetings, entitled to appraised value of their interest, &c.

SECT. 4. If the owners or proprietors of any meeting-house, which the major part owners shall by vote at a legal meeting determine to repair, re-model, or re-build, shall dissent from the proceedings of such meeting, and shall decline to take any interest in the house which may be so repaired, re-modeled or re-built, they shall be entitled to demand and receive of those who may elect to make such alterations, the appraised value of their interest in said house and land, their proportion of the debts of said owners or proprietors being first deducted, to be recovered by an action for money had and received, against the owners who may so elect to make such alterations and repairs, by any person entitled to receive said proceeds. But such action shall not be commenced until thirty days after such demand, nor after the expiration of one year after notice shall have been given by an advertisement posted on said meeting-house door, and one other conspicuous place in the precinct where it is situated, setting forth the names of the persons to whom the money is to be paid, with the amount to each and time limited for the payment, three weeks successively. And if the said sums of money shall not be demanded within said time, they shall be considered as forfeited to the uses of the owners or proprietors aforesaid, who have made such repairs for parish purposes.

Right of action, limitation of.

SECT. 5. This act shall take effect from and after its approval by the governor.

[Approved March 16, 1855.]