

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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.

AUGUSTA:
STEVENS & BLAINE, PRINTERS TO THE STATE.

1855.

PRIVATE AND SPECIAL LAWS ·

OF THE

STATE OF MAINE.

1855.

CHAP. 497. before such meeting, at which time and place of said meeting, the members present shall elect not less than five nor more than nine

Directors.

directors, who shall hold their respective offices for one year, and also a president and secretary, who shall hold their offices each for one year, and thereafter said officers shall be elected annually.

President and secretary.

President, &c., duties of.

SECT. 8. Said president and directors shall superintend the concerns and management of all the funds and property of said company, and the said board shall have power to fill any vacancies which may occur by death or otherwise.

By-laws.

SECT. 9. The members, at any legal meeting called for the purpose, may make such by-laws as may be deemed necessary, which by-laws shall be binding on each and every member of said company, if not repugnant to the provisions of this act, or any of the general laws of this state, relating to such companies.

SECT. 10. This act shall take effect and be in force from and after its approval by the Governor.

[Approved March 14, 1855.]

Chapter 497.

An act to incorporate the Waterville Library Association.

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

Corporators.

SECT. 1. Joseph Percival, James T. Champlin, Josiah H. Drummond, Edward G. Hoag, N. Milton Wood, Jones R. Elden, Thomas W. Herrick, William Dyer, Ephraim Maxham, Stephen Stark and E. L. Getchell, their associates, successors and assigns, are hereby made and constituted a body politic and corporate, by the name of Waterville Library Association, and by that name may sue and be sued, plead and be impleaded, and shall have and enjoy all proper remedies at law and equity, to protect and secure them in the exercise of the rights and privileges herein granted.

Corporate name.

Powers and privileges.

May hold real and personal estate.

SECT. 2. Said corporation shall have power to hold and possess property, real and personal, and take the same by purchase, devise, gift or otherwise, to an amount not exceeding ten thousand dollars, in addition to their library, cabinet, and a lot of land with the buildings thereon, to be occupied exclusively for the ordinary purposes of said corporation.

May raise money by assessment for certain purposes.

SECT. 3. Said corporation may raise money by assessment per capita, upon the members thereof, at any regular meeting thereof, for the purposes of purchasing a library and cabinet, or either of

them, or making additions thereto, employing lecturers, establishing CHAP. 497. and keeping in operation a reading room, purchasing or leasing a lot and buildings for the use of said corporation, defraying the incidental expenses of the association, and for any other purpose within the general scope of the powers herein granted. *Provided,* Proviso. *however,* that no tax shall be voted by the association, unless the proposition or notice thereof shall have been laid before the association, and entered upon their records at least one week previous to final action thereon.

SECT. 4. Said corporation are hereby empowered to have a common seal, and to make, ordain and establish all necessary by-laws and regulations consistent with the constitution and laws of this state, and not repugnant to the provisions of this charter, for their own government, and for the due and orderly conducting of their affairs and the management of their property, and punish its members for a violation thereof, and by a two-thirds vote of those present at any regular meeting, expel a member. Seal, by-laws, &c.

SECT. 5. The acting members of said corporation shall consist Membership. of residents of the town of Waterville, but other persons may be admitted as honorary members upon such terms and for such length of time as the by-laws of said corporation may provide, or the association from time to time establish by vote, but such honorary members shall have no interest whatever in the property of said corporation, nor be liable to taxation, nor for the debts of the association. And when any acting member ceases to be a resident of the town of Waterville, or voluntarily withdraws from the association in the mode hereinafter provided, or is expelled from the corporation for non-payment of taxes or any breach of the by-laws of said association, or upon the death of any member, he or his heirs, at any time within one year thereafter, may name a successor, who shall succeed to all his privileges and liabilities, but if no such successor shall be named within the time aforesaid, then all ownership and interest of himself, or any person in his behalf, in and to any property belonging to said corporation, or to him as a member thereof, or to the privileges of said association, is thereby forever extinguished; and all his liability shall cease except as provided in section seven of this act, and except for any sum which he may in any way owe the corporation when his membership ceases as aforesaid. And for any such sum he, or in case of his death, his personal representatives, shall be liable to the corporation in an action of debt.

SECT. 6. Whenever any tax shall be assessed upon the members Tax, how collected. of this corporation, according to the provisions of section third of this charter, the collection thereof may be enforced by an action of

CHAP. 497. debt, in the name of the corporation, or by suspension from the privileges of the association, and in case of non-payment of any such tax, by any member for such length of time as the association shall in their by-laws prescribe, he may be expelled from the association.

Debts, private property liable for.

SECT. 7. The private property of every member of this corporation shall be liable for all debts of the corporation contracted while he is a member thereof, and this liability shall continue although such person shall cease to be a member before the final collection of such debt, and in all such cases said corporation and the members thereof shall be liable to the provisions of section nineteen of the seventy-sixth chapter of the revised statutes, as modified by the act to amend said chapter, passed in the year eighteen hundred and fifty-one, and subsequent acts.

Members may withdraw, &c.

SECT. 8. Any member of this corporation may withdraw therefrom, upon filing with the secretary thereof a certificate from the treasurer that he has paid all assessments and other dues to the corporation, and thereupon all liability of such member shall cease, except as provided in the preceding section, and the secretary shall give him a dismissal and enter the same upon his records.

Library, &c., exempt from attachment. Proceeds of property sold, how invested.

SECT. 9. The library and cabinet of said corporation shall be exempt from attachment and levy on execution. And when any property of said corporation may be sold, the proceeds shall be invested in making additions to the library or cabinet, or in purchasing real estate for the use of said corporation, or shall be used to pay any debts of the corporation incurred for similar purposes, and no dividend of the proceeds of any such sale shall at any time be made among the members thereof. *Provided, however,* that the funds arising from the sale of tickets of admission to the lectures and other proceedings before the association, may be applied in whatever manner the corporation or directors thereof may by vote determine.

Proviso.

Officers.

---when to be elected, &c.

SECT. 10. The officers of said corporation shall consist of a president, two vice-presidents, a treasurer, secretary, a board of directors not exceeding seven in number, and such other officers as the by-laws may prescribe. Such officers shall be elected at the annual meeting of said association, or as soon thereafter as may be, and shall hold their offices until others shall have been elected in their stead. Any officer ceasing to be an acting member of the association shall thereby vacate his office.

Directors.

-duties of, &c.

SECT. 11. Any other officer may be a director, and the association may, by their by-laws, make any officer, ex-officio, a member of the board of directors. The directors shall have the sole power of managing the financial concerns of the corporation, but shall

perform no act binding on the corporation in violation of a previous vote thereof. The directors may delegate their powers, and appoint agents whose acts shall be binding on the corporation. The powers and duties of the other officers shall be such as may be prescribed in the by-laws of the association.

CHAP. 498.

—may delegate powers, &c.

SECT. 12. This corporation shall be subject to the provisions of the seventy-sixth chapter of the revised statutes, and the acts additional thereto, so far as the same may be applicable to said corporation.

SECT. 13. Should said corporation ever be dissolved, the property thereof, after the debts are paid, shall revert to the town of Waterville, as then existing.

SECT. 14. The time for the annual meeting of said corporation shall be fixed by the by-laws. The first meeting of said corporation may be called by any three of the corporators, by a notice published in the Eastern Mail, at least one week previous to the time of meeting.

Annual meeting.

First meeting, how called.

SECT. 15. At such meeting of said corporators, the terms of admission may be fixed by a majority of those present. They may effect a temporary organization, and adopt a code of by-laws; and after adopting the by-laws and accepting this charter, may proceed to organize permanently by electing the officers as provided in their charter and by-laws, and said officers shall hold their respective offices until the next annual meeting of said association.

Terms of admission.

By-laws.

SECT. 16. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 14, 1855.]

Chapter 498.

An act additional to an act entitled "An act to establish the Bangor and Orono Railroad," approved August twenty-first, eighteen hundred and fifty.

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

SECT. 1. The said Penobscot railroad company is hereby authorized to change the location of the said road in Oldtown, between Greatworks village and Oldtown village, and to extend branches to any mills in the towns of Veazie, Orono, Oldtown and Bradley, in the manner by law prescribed.

Authorized to change location.

SECT. 2. The period of six years from the date of the approval of this act, is given to said company to complete the works herein authorized.

[Approved March 14, 1855.]