

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.

PRIVATE AND SPECIAL LAWS ·

OF THE

STATE OF MAINE.

1855.

CHAP. 528. of pursuing the mode pointed out in the foregoing provisions of this act.

Act, when to take effect.

SECT. 7. This act shall not take effect or be in force until it is accepted by a majority of the legal voters of said city, voting thereon at a general meeting to be called in the usual manner that town meetings are called, by the mayor and aldermen, the vote on its acceptance to be taken by ballot. And the mayor of said city to preside at such meeting, and the city clerk to record the doings thereof. But said city may accept any sections or parts of this act and reject the remainder, if the said citizens voting as aforesaid, shall so decide.

City may accept parts of act.

[Approved March 16, 1855.]

Chapter 528.

An act for the amendment of the records of the Sullivan and Hancock Bridge Corporation.

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

Authorized to amend records.

SECT. 1. The secretary of the Sullivan and Hancock Bridge Corporation is hereby authorized under oath, before any justice of the peace, to amend in accordance with the facts, the records of said corporation both before and since its name was changed.

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

[Approved March 16, 1855.]

Chapter 529.

An act to incorporate the Trustees of the Maine State Seminary.

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

Corporators.

SECT. 1. Oren B. Cheney, Ebenezer Knowlton, Joseph Berry, Charles O. Libby, Leonard Hathaway, Theodore Stevens, junior, Francis Lyford, Ephraim H. Hart, Benjamin D. Peck, Stephen Williamson, Philip Weaver, Joseph Edgecomb, J. S. Burgess, Jason Mariner, Charles H. Smith, Nahum Brooks, Joseph D. Prescott, Tisdale D. Clements, George W. Bean, Alexander H. Morrill, William R. Frye, Joseph Symonds, Joshua Haskell, Abel Chad-

wick, William H. Littlefield, Ezekiel G. Page, Nathan J. Robinson, and Samuel Swanton, their associates and successors, are hereby constituted a body politic and corporate, by the name of the Trustees of the Maine State Seminary, and by that name shall have power to prosecute and defend suits at law, to have and use a common seal, and to change the same at pleasure; and to take and hold, for the objects of their association, by gift, grant, bequest or otherwise, any estate, real or personal, the annual income of which shall not exceed five thousand dollars.

CHAP. 529.

Corporate name.

SECT. 2. All property and estate, real and personal, which may at any time, by donation or otherwise, come into possession of said board of trustees in their corporate capacity, shall be faithfully applied to the promotion of the cause of education, and in establishing and maintaining a literary institution, in some town or city in this state: and the trustees of said Maine State Seminary, by a majority vote of the whole board, are hereby vested with the power to locate said seminary in any town or city in this state: *Provided, however,* it shall not be located in any town or city where there is an institution similar in kind, and equal in grade—and *provided, also,* that said location shall be approved by the governor and council.

Property and estate of, how applied.

Proviso.

SECT. 3. Whenever the said trustees, having accepted the provisions of this act, shall have raised for the benefit of said seminary the sum of fifteen thousand dollars, and shall show by satisfactory evidence to the governor and council that they have provided suitable lands for the buildings and other purposes of the seminary, in a place approved by the governor and council, and that such part of the said fifteen thousand dollars as is not invested in such lands and buildings thereon, is securely invested for the benefit of the seminary, the governor and council shall draw a warrant on the treasurer for the sum of five thousand dollars, in favor of the said trustees, which sum they shall apply to the general purposes of the institution, or to the increase of its permanent fund; and whenever the trustees shall produce to the governor and council satisfactory evidence that, upon the site so procured, buildings are erected suitable for the accommodation and the purposes of the seminary, and that the same are ready to be used as a place for the education of youth, they shall direct the treasurer of state to issue to the said trustees the scrip of the state for the sum of ten thousand dollars, redeemable in twenty years, bearing interest payable semi-annually, at the rate of six per cent. per annum, which scrip shall be placed to the credit of the trustees in the books of the treasurer, and also deposited in the treasurer's office, in trust for the said trustees; and

First installment, when to be paid by the state.

—how applied.

State scrip, when to be issued.

—to be deposited in treasurer's office in trust.

CHAP. 529.

—interest to be paid semi-annually.

—when to be surrendered.

New scrip to be issued, &c.

the interest shall semi-annually be paid to them, so long as they shall by a compliance with the provisions of this act be entitled to receive the same; and at the expiration of the said twenty years the said scrip shall be surrendered and canceled, and new scrip for the same amount shall be issued for the same purpose, to be managed in the same manner for a second period of twenty years, and so on, from one period of twenty years to another, until such time as the governor and council shall determine that it will be for the interest of the state and of the seminary, that the same shall be invested for its benefit in some other manner, which the governor and council shall have authority to cause to be done.

Condition of payment of interest on scrip by the state.

SECT. 4. At the time of each semi-annual payment of the interest on the said scrip of ten thousand dollars, the president of the board of trustees shall be required to certify to the treasurer of state that the said seminary for the preceding six months has been in successful operation, as a place for the education of youth, and no payment of such interest shall be made without such certificate shall be produced and delivered to the treasurer. If at any time the said seminary shall for the space of three years at a time cease to be in successful operation as a place for the education of youth, the said scrip of ten thousand dollars and all arrears of interest shall be forfeited and revert to the state.

Scrip and interest to be forfeited in certain cases.

Trustee on part of the state.

SECT. 5. The governor shall have the right to appoint one of the trustees of said seminary, who shall hold his office for the same term of time as the other members of the board, and to supply any vacancy that may from time to time occur in the place of such trustee by a new appointment, so that there shall always be in the board of trustees, one member appointed by the governor.

Powers, privileges, duties, &c., of trustees.

SECT. 6. The trustees aforesaid may adopt such rules, regulations, courses of study and by-laws not repugnant to the constitution and laws of this state, as they may deem expedient for the management of their affairs, and the prosperity of said seminary; may fill by ballot vacancies occurring in their body; may choose by ballot all officers and teachers necessary for the usefulness and advantage of said seminary; and they shall be, and they are hereby invested with all the powers and privileges incident to similar corporations.

Board of trustees, number of, and how classed.

SECT. 7. The number of said trustees shall not at any time be less than fifteen, nor more than thirty-five; and the board of trustees shall be divided into five classes; the first seven trustees mentioned in this act of incorporation, shall constitute the first class, and the second seven in said list shall constitute the second class, and this order shall continue through said list; and the term

First class.

second class.

—term of office.

of office of the first class shall expire on the day of the annual meeting of said trustees, in the year eighteen hundred and fifty-seven; and at each succeeding annual meeting, the term of office of the class next in order shall expire, and vacancies shall be filled by the board, and all persons so elected shall continue in office for the term of five years. The by-laws shall provide what notice shall be given of the time and place of meeting of the trustees for business; and it shall not be necessary for more than seven of the trustees to be present to constitute a quorum to do business.

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Notice of meeting.

Quorum.

SECT. 8. The legislature shall have the right to alter or amend this act at any time after the acceptance of the same.

SECT. 9. Oren B. Cheney, Ebenezer Knowlton, and Francis Lyford, or any two of them, are hereby authorized to call the first meeting of this corporation by giving notice of the time and place of said meeting in the Kennebec Journal and The Age, papers printed in Augusta, and in the Morning Star, a paper printed in Dover, New Hampshire, seven days at least before the time appointed for said meeting.

First meeting, how called.

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

[Approved March 16, 1855.]

Chapter 530.

An act to set off certain lands from West Bath and annex the same to the city of Bath.

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

SECT. 1. The territory embraced within the following limits, is hereby set off from West Bath, in the county of Sagadahoc, and annexed to the city of Bath, in said county, together with the inhabitants whose legal settlement is thereon, namely: beginning at the dividing line between said Bath and West Bath, at the Kennebec river, thence running westerly, and following the dividing line between said Bath and West Bath, two hundred and forty-one rods; thence south, seventeen degrees west, one hundred and sixty rods, to the head of Storer's mill pond; thence south, thirty-seven degrees west, through said pond, seventy-eight rods; thence south, sixteen degrees east, through said pond, sixty rods, to the outlet thereof; thence southerly by said outlet to the county road; thence southerly, by the west line of said road, to Thomas Lombard's old south line; thence easterly by said Lombard's old south line to the

Certain lands set off from West Bath and annexed to the city of Bath.

Boundaries.