

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-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1860.

Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26,
1840, and March 16, 1842.

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1860.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1860.

city or town, it shall be the duty of the treasurer of the state to issue his warrant for enforcing the collection of the same against such collector. The warrant shall be directed to the sheriff or his deputy of the appropriate county, and made in accordance with the laws already existing on that subject, except that it shall be returnable in ninety days from its date; and in addition to the tax itself, it shall require the officer to collect interest thereon at the rate of six per cent. yearly from the day when the tax became payable, with fifty cents more for the warrant.

Warrant to be directed to sheriff or his deputies.
—when returnable.
Officer to collect interest.

SECT. 5. That whenever any state tax, assessed upon any city, town or plantation, shall remain unpaid after the pay day appointed therefor, such city, town or plantation is hereby precluded from drawing from the state treasury the school fund, set apart for such city, town or plantation, so long as such delinquent tax shall remain unpaid.

Towns precluded from drawing school money, when tax is unpaid.

SECT. 6. This act shall be in force from and after its approval by the governor.

[Approved March 19, 1860.]

Chapter 467.

An act additional to an act to incorporate the Portland Savings Bank.

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

SECT. 1. The Portland Savings Bank is authorized to make an arrangement with the city government of the city of Portland, by which the city, for any loan, which it has contracted or shall contract, for any legal purpose, may make certificates of registered or inscription stock, payable, for value received, to the savings bank; which certificates shall be kept in the possession of the city treasurer, and shall be payable at his office, with interest, at such times as shall be expressed therein.

Authorized to make loan to city of Portland.

—may make certificate, &c.

—to be kept in possession of city treasurer.

SECT. 2. No such certificate, or any interest therein, shall be assigned or transferred by the savings bank to any other party, or delivered out of the possession of the city treasurer, or be paid before maturity, except in accordance with the provisions of this act; and the substance of this section shall be expressed on the face of every such certificate.

—not to be assigned or transferred.

SECT. 3. Whenever the savings bank shall desire to assign and transfer any of such inscription stock, or to receive payment therefor, with the consent of the city, before maturity, application shall be made by authority of the managers, to the judge of probate of Cumberland county, for his consent thereto; such application shall

If bank desires to assign or transfer stock, &c.

CHAP. 467.

—application
to be made to
judge of pro-
bate.

If judge shall
be satisfied, &c.

—he shall
signify his
consent, &c.

If judge shall
not give con-
sent, &c.

—application
may be made
to judge of
S. J. C.

Authorized to
make loan to
county.

Certificate to
be kept in
possession of
co. treasurer.

—not to be
assigned or
transferred.

Treasurer of
bank to file
with the regis-
ter of probate
an exhibit of
the state of
bank, &c.

—to be kept by
register.

be made in writing and presented at a regular term of the court, and shall state succinctly the reasons for making the application, and the amount and tenor of the stock required to be transferred or paid.

SECT. 4. If the judge of probate shall be satisfied that the interest of the depositors in the bank, will be promoted by granting the application, the city treasurer shall lay before him the book of registry, in which the stock is inscribed, and he shall signify his consent by his signature on the face of the certificates named in the application, and thereupon such certificates may be assigned and transferred to any other party, or may be paid off and discharged.

SECT. 5. If the judge of probate shall not give his consent, the managers of the savings bank may cause the same application to be made to any judge of the supreme judicial court, reciting the objects and reasons therefor, and setting forth the refusal of the judge of probate. Such application may be received and acted upon at any time. If consent is granted, the same shall be expressed in like manner, and with like effect, as is above provided, for the consent of the judge of probate.

SECT. 6. The savings bank is authorized in like manner, to make an arrangement with the county commissioners of Cumberland county, for the making of registered or inscription stock of the county, for any loan, which the county commissioners have contracted, or may contract for the purposes and within the limits authorized by law; which certificates shall be kept in the possession of the county treasurer, and shall be payable at his office, to the savings bank, for value received, with interest at such times as shall be expressed therein.

SECT. 7. No assignment or transfer of any certificate of such inscription stock of the county, or of any interest therein, shall be made by the savings bank to any other party, nor shall the same be delivered out of the possession of the county treasurer, nor be paid before maturity, except upon such proceedings had as are herein before provided in case of inscription stock of the city; and the substance of this section shall be expressed on the face of every such certificate.

SECT. 8. The treasurer of the savings bank, shall as often as once in four months, in every year, file with the register of probate for Cumberland county, an exhibit of the state of the bank, as made up at the close of business on the deposit day next preceding the filing of such exhibit, and the same shall be received and conveniently kept by the register, and shall be open to public inspection, like other records and files in his office. Every such exhibit shall state specifically the amount of all the registered stock then payable to the bank, under the provisions of this act.

SECT. 9. If any suit or proceeding in equity shall at any time be instituted before the supreme judicial court, by or against the savings bank, nothing contained in this act shall prevent the court from making any decrees and orders touching the funds and property of the bank, which shall be within the jurisdiction and powers of the court as a court of equity, under the general laws of this state; and upon any order or decree duly made in such case, the interest, which the bank may hold in any of the stock authorized by this act, may be sold and transferred.

CHAP. 468.

Suits or
proceedings
in equity.

SECT. 10. The number of corporate members of the Portland Savings Bank shall not be less than ten, nor more than twenty. Seven members shall constitute a quorum. At any legal meeting, they may establish a by-law providing that any members who shall fail to attend the annual meeting, for two successive years, or who shall remove from this state, shall cease to be members.

Corporate
members not
less than
twenty.

By-laws.

SECT. 11. This act shall take effect when approved.

[Approved March 19, 1860.]

Chapter 468.

An act to authorize the city of Gardiner to lend its aid in the construction of an extension of the Androscoggin Railroad from the town of Leeds to the city of Gardiner.

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

SECT. 1. The city of Gardiner is hereby authorized to loan its credit to the Androscoggin Railroad Company, to aid in the construction of an extension of their railroad, from any point in its present road in the town of Leeds to the said city of Gardiner, in a sum not exceeding one hundred and fifty thousand dollars, subject to the following provisions, terms and conditions.

Gardiner
authorized to
loan its credit
to the Andros-
coggin Rail-
road Co.

Amount.

SECT. 2. If this act shall be accepted, as is hereinafter provided, and the directors of said company shall, within nine months from the time of its acceptance by said city, produce satisfactory evidence to the mayor and aldermen of said city for the time being, that five miles of said extension is completed and in readiness for the cars, they shall certify that fact to the city treasurer for the time being, and he shall thereupon issue to the directors of said company fifty thousand dollars of the scrip of said city, payable to the holder thereof in thirty years from its date, with coupons for interest attached, payable semi-annually; and if in fifteen months from its acceptance as aforesaid, the said directors shall prove satisfactorily to the mayor and aldermen that five miles more of said

Terms and
conditions.Scrip, when to
be issued.

—amount of.