

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1879.

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Published by the Secretary of State, agreeably to Resolves of June 28,  
1820, February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1879.

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by publishing it in some newspaper printed in the county, at least fourteen days prior to the time appointed therefor. At such meeting they may organize into a corporation, adopt a corporate name, define the purposes of the corporation, fix the amount of the capital stock, which shall not be less than one thousand dollars, nor more than two hundred thousand, divide it into shares, and elect a president, not less than three directors, a secretary, treasurer and any other necessary officers, and adopt a code of by-laws.

‘SECT. 19. Before commencing business, the president, treasurer and a majority of the directors shall prepare a certificate, setting forth the name and purposes of the corporation, the amount of capital stock, the amount already paid in, the par value of the shares, the names and residences of the owners, the name of the county where located, and the number and names of the directors, and shall sign and make oath to it; and after it has been examined by the attorney general, and by him certified to be properly drawn and signed and conformable to the constitution and laws, it shall be recorded in the registry of deeds in the county where the business is to be done, in a book kept for that purpose, and a copy thereof certified by such register, shall be filed in the Secretary of State’s office, and he shall enter the date of filing thereon, and on the original certificate to be kept by the corporation, and shall record said copy in a book kept for that purpose. And said corporation shall pay the attorney general and secretary of State one dollar each, for their services, in advance.’

Approved February 28, 1879.

CHAP. 134.

Proceedings at first meeting.

Capital stock.

Shares.

Officers.

By-laws.

Before commencing business, certificate to be prepared by president, treasurer and majority of directors.

What it must set forth.

To be signed and sworn to. Certified to by Attorney General.

Recorded in registry of deeds.

Copy certified by register to be filed in secretary of state’s office.

Secretary’s duty.

Attorney general’s and secretary’s fees.

## Chapter 134.

An Act to amend chapter fifty-one section eighty of the Revised Statutes, relating to voting on the question of loaning Money.

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

Section eighty, chapter fifty-one of the revised statutes is hereby amended by adding to said section the following words: ‘At such meetings, the legal voters shall vote by ballot, those in favor of the proposition, voting Yes, and those opposed, voting No. The ballots cast shall be sorted, counted and declared in open town meeting, and recorded, and the clerk shall make return thereof to the municipal officers, who shall examine such returns, and if two-thirds of the ballots cast are in favor of the proposition, said officers shall forthwith proceed to carry the same into effect, so that said section as amended will read:

Sec. 80, ch. 51, R. S. amended.

## CHAP. 135.

City or town by two thirds vote may raise not exceeding five per cent of the valuation to aid in construction of railroads.

May make contracts.

How the vote shall be taken.

Vote declared.

Clerk to make return to municipal officers.

Duty of municipal officers.

‘SECT. 80. Any city or town, by a two-thirds vote, at any legal meeting called for the purpose, may raise by tax or loan, from time to time, or all at once, a sum of money not exceeding in all five per cent. on its regular valuation for the time being, and appropriate it to aid in the construction of railroads, in such manner as they deem proper, and for such purpose may make contracts with any person or railroad corporation. At such meetings the legal voters shall vote by ballot, those in favor of the proposition, voting Yes, and those opposed, voting No. The ballots cast shall be sorted, counted and declared in open town meeting, and recorded, and the clerk shall make return thereof to the municipal officers, who shall examine such return, and if two-thirds of the ballots cast, are in favor of the proposition, said officers shall forthwith proceed to carry the same into effect.’

Approved February 28, 1879.

### Chapter 135.

An Act to amend chapter one hundred and thirty-three of the Public Laws of eighteen hundred and seventy-six, relating to Criminal Prosecutions.

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

Ch. 133, public laws 1876, amended.

Chapter one hundred and thirty-three of the public laws of eighteen hundred and seventy-six, is amended by inserting after the word “discharged,” in the third line, the following words: ‘and on motion of the respondent, the magistrate shall render judgment whether or not the complaint is frivolous or malicious.’ And by striking out the word “accordingly,” in the sixth line, and inserting the following words: ‘in favor of the county and against the complainant for such sum, and said magistrate may receive and pay over said costs to the county treasurer for the use of the county, and in case the same are not paid, the magistrate shall return said execution to the county commissioners, for the use of the county. And the complainant shall have the same right of appeal as in civil cases,’ so that said chapter shall read as follows:

No offence committed or not probable cause to charge the accused, he shall be discharged.

On motion of respondent justice to decide whether complaint is frivolous,—if so he shall

‘SECT. 13. If it appears on the whole examination that no offence has been committed or that there is not probable cause to charge the accused, he shall be discharged, and on motion of the respondent the magistrate shall render judgment whether or not the complaint is frivolous or malicious, and if the magistrate judges the complaint frivolous or malicious, he shall order the complainant to pay the costs of prosecution and issue execution in favor of the county and against the complainant for such sum,