

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED OCTOBER 22, 1840;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

United States and of the State of Maine,

AND TO WHICH ARE SUBJOINED THE OTHER

PUBLIC LAWS OF 1840 AND 1841,

WITH AN

APPENDIX.

PRINTED AND PUBLISHED IN COMPLIANCE WITH A RESOLVE OF OCTOBER 22, 1840.

Augusta:

PUBLISHED BY WILLIAM R. SMITH & Co., PRINTERS TO THE STATE.

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1841.

CHAP. 85.

reasonable charges of sale; after notice of such intended sale, posted up in the manner before mentioned, and published in two of the newspapers before named, five weeks successively next before the time of sale: and said committee may give deeds of the land sold to the purchaser, to hold in fee simple.

Right of redemption. 1821, 43, § 4.

SECT. 15. The proprietor of the right or proportion, so sold, may redeem the same, at any time within twelve months, by paying to such committee the sum for which the same was sold, with twelve dollars for each one hundred dollars produced by such sale, and in that proportion for a less or greater sum.

Treasurer's power, and duties. 1821, 43, § 5.

SECT. 16. The treasurer may sue for and collect all debts, due to the proprietors, and shall render his account of all moneys, received and paid; and hold his office during the pleasure of the proprietors.

Management of property. Proxies. 1821, 43, § 6. 3 Pick. 396.

SECT. 17. The proprietors of such lands, by a majority of those present at any legal meeting, may order, manage, improve, divide or dispose of the same, as they may decide upon; and any proprietor may vote in person, or by attorney appointed in writing.

Proprietors' records, how preserved. 1821, 43, § 8, 9.

SECT. 18. After a final division of the common property of the proprietors, they shall cause their records to be deposited in the office of the clerk of the town, in which such lands or a part of them may lie; and such town clerk may record votes and certify copies of such records, in like manner as the proprietors' clerk might have done; and the last clerk chosen shall continue in office, till the records are so deposited.

Certain corporate powers continued, after final division. 1821, 43, § 7.

SECT. 19. Such a final division shall not dissolve the corporation, till the end of ten years thereafter; but the last proprietors in common and their heirs shall continue in their corporate capacity, and retain their corporate powers for collecting all debts due to the corporation, and remain liable to pay all debts due therefrom; and may call and hold meetings, vote and raise assessments for payment of their debts, and all other charges necessary for closing their business.

CHAPTER 86.

OF MILLS AND THEIR REPAIRS.

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| <p>SECT. 1, 2. Manner of calling a meeting of mill owners.</p> <p>3. Owners of a moiety or more, may repair or rebuild.</p> <p>4. How to be reimbursed.</p> <p>5. Special contracts not affected.</p> | <p>SECT. 6. Proceedings, if a part owner be a minor, and in certain other cases.</p> <p>7. Owners of grist mills, to furnish scales for weighing grain.</p> <p>8. Toll established.</p> |
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Manner of calling a meeting of mill owners. 1829, 437, § 1.

SECTION 1. When any owner of a mill, or of the dam necessary to the working thereof, is of opinion, that it is necessary the same should be rebuilt or repaired, in whole or in part, on his written application to a justice of the peace in the county where such mill or dam is situate, to call a meeting of the owners, expressing the object, time and place of the meeting, such justice may issue

his warrant for the purpose, directed to such owner; which shall be published in some newspaper, if there be any printed in said county, three weeks successively, the last publication to be not less than ten nor more than thirty days before the meeting; or a true copy of such notification may be delivered to each of said owners, or left at his last and usual place of abode; either of which kinds of notice shall be binding on all the owners.

SECT. 2. When such mill dam shall be situated, partly in one county and partly in an adjoining county, then such application for said meeting may be made to a justice of the peace in either of such counties. Same subject.

SECT. 3. At such meeting, whether all the owners shall attend or not, the owners in interest of at least one half of such mill or dam, may rebuild or repair the mill or dam or both, so far as to make them serviceable; and shall be reimbursed and paid such sums, as they or any of them shall have advanced thereon, beyond their respective proportions, with interest for the same, in the mean time, out of said mill or the profits. Owners of half or more may rebuild.
1821, 45, § 13.
4 Mass. 559.

SECT. 4. If such sums shall not be reimbursed by the profits of the mill, or paid by the persons neglecting or refusing to join in rebuilding or repairing the same, within six months after such work shall have been completed, the proprietors, who have advanced such sums may lawfully charge one per cent. a month, on the amount so advanced, from the end of six months, till the same shall be reimbursed or paid as aforesaid; and in case of the death of any delinquent owner, or any alienation of his interest in the premises, the advancing owners shall, notwithstanding, have a continuing lien upon his shares or title in said mill or dam, for the purpose of the reimbursement of the expenses of such rebuilding or repairing. How to be reimbursed.
1821, 45, § 13.

SECT. 5. Nothing, however, in the preceding section, shall be construed to impair or affect any special contract, made by the owners, respecting the building or repairing such mill or dam. Special contracts, not affected.
1821, 45, § 13.

SECT. 6. Where any part of such mill or dam shall be, at the time of meeting and notice, held and possessed by minors, married women, tenant by curtesy, in tail, for life or years, or by mortgager or mortgagee, the guardians of such minors, husband[s] of such married woman, in her right, and such tenant, or mortgager, or mortgagee, shall be deemed, for the purposes of this act, the proprietor or proprietors thereof, and shall be notified and vote, and contribute accordingly; and all advances, made by them respectively, on account of such minors, heirs of such married women, those in remainder or reversion, or the other party in the mortgage, if not paid, shall be recoverable, in a special action on the case, with interest. Proceedings, if a part owner be a minor, and in certain other cases.
1821, 45, § 14.

SECT. 7. The owner of every grist mill shall keep, in his mill, scales and weights to weigh corn, grain and meal, when required; and for neglecting to be so provided with them, or refusing to weigh corn, grain or meal, when required, or taking more than lawful toll, he shall forfeit five dollars, to be recovered, by action of debt, with costs, before any justice of the peace, for the county where the offence shall be committed. Owners of grist mills, to furnish scales for weighing grain.
1821, 45, § 15.

SECT. 8. The toll for grinding, cleansing and bolting all sorts of grain, shall not exceed one sixteenth part thereof. Toll established
1821, 45, § 16.
1839, 365.