

# MAINE STATE LEGISLATURE

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THE  
REVISED STATUTES

OF THE  
STATE OF MAINE,

PASSED JANUARY 25, 1871;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

UNITED STATES AND OF THE STATE OF MAINE:

WITH AN APPENDIX.

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BY AUTHORITY OF THE LEGISLATURE.



PORTLAND:  
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exceeding twenty-five cents, for each of its ratable polls in the year next preceding. CHAP. 56.

SEC. 10. Any town or plantation, as such, may receive, hold and manage any devises, bequests or donations for the establishment, increase or maintenance of a public library therein; and when such plantation is incorporated into a town, such gifts and the proceeds thereof shall fully vest in such town.

Towns and plantations may receive gifts for public libraries; and when such plantation is incorporated, they vest in the town.  
R. S. c. 55, § 11.  
1864, c. 271,  
§§ 1, 2.

#### PUBLIC CEMETERIES.

SEC. 11. Any seven or more persons may be incorporated in the manner hereinbefore provided, for the purpose of owning, managing and protecting lands and their appurtenances appropriated for public cemeteries; and the property of such corporations and the shares of stock therein, shall be exempt from attachment and taxation.

How proprietors of public cemeteries may be incorporated. their property and stock exempt from attachment and taxation.  
1870, c. 95.

## CHAPTER 56.

### PROPRIETORS OF LANDS, WHARVES, AND OTHER REAL ESTATE, IN COMMON.

- SEC. 1. Warrant for calling meetings. To whom directed.
2. Modes of giving notice.
  3. Officers, and manner of calling future meetings.
  4. Officers to be sworn.
  5. No business to be transacted, unless specified in the warrant. How votes are to be counted. May pass by-laws, subject to approval of county commissioners, and annex penalties.
  6. Prosecution and defence of actions.
  7. Raising and assessment of moneys. Publication of assessment.
  8. Payment enforced by sale.
  9. Right of redemption.
  10. Treasurer's power and duties.
  11. Management of property. Proxies.
  12. Proprietors' records, how preserved.
  13. Certain corporate powers continued after final division.
  14. Money raised for highways.

SEC. 1. When any five, or a majority of the proprietors of lands lying in common, are desirous of a meeting of the proprietors, and apply in a writing, signed by them or their agents, to a justice of the peace throughout the state, or a justice of the peace for the county in which the lands lie, he may issue his warrant for calling a meeting, at the time and place, and for the purposes distinctly stated in the application, directed to one of the proprietors, requiring him to give notice thereof.

Warrant for calling meetings. To whom directed.  
R. S. c. 56, § 1.

**CHAP. 56.** **SEC. 2.** If the lands lie in one or more incorporated towns, a notice in writing shall be posted up in some public place in each, and published in the state paper, and in one of the newspapers printed in the county where any part of them lies, fourteen days before the meeting; but if not, it shall be published in the state paper, and in one other newspaper, if any, in the county where any part of them lies, four weeks successively next before the meeting; or the meeting may be warned by posting written notifications, in some public place in each town where any proprietor resides, fourteen days before the time appointed therefor.

Officers and manner of calling future meetings.  
R. S. c. 56, § 3.  
18 Me. 213.

**SEC. 3.** At such meeting, such as assemble in person or by attorney may choose a moderator, clerk, treasurer, assessors, collector or collectors of taxes, committees, and other needful officers; and by vote decide upon the manner of calling and notifying future meetings.

Officers to be sworn.  
R. S. c. 56, § 4.

**SEC. 4.** The clerk shall record the votes passed at all meetings; and he, the treasurer, assessors, and collectors, shall be duly sworn by the moderator or a justice of the peace.

No business to be transacted, unless specified in the warrant.  
How votes are to be counted.  
R. S. c. 56, § 5.

**SEC. 5.** No business shall be acted upon at any meeting, unless it is distinctly expressed in the warrant therefor; the proprietors' votes shall be counted according to the interest of each in the common lands, if known, and in that way the moderator shall make certain all doubtful votes; and they may pass by-laws as to the management, improvement, division, and disposition of their lands, or wharves, subject to the approval of the county commissioners of the county where the lands lie, and annex penalties to the breach of them, not exceeding three dollars for one offence, to be disposed of as they direct.

Prosecution and defence of actions.  
R. S. c. 56, § 6.

**SEC. 6.** The proprietors may prosecute and defend any suits by their agent, and the certificate of the proprietors' clerk shall be evidence of such agency.

Raising and assessment of moneys.  
Publication of assessment.  
R. S. c. 56, § 7.

**SEC. 7.** At any legal meeting, they may raise any money for bringing forward, completing the settlement of, managing or improving said lands, or for their common good, and assess the same according to their interests in the lands; and the treasurer, collector, or committee shall publish such assessment as a meeting of the proprietors is to be notified by the provisions hereof.

Payment enforced by sale.  
R. S. c. 56, § 8.  
4 Me. 237.  
5 Me. 345.  
7 Me. 404.

**SEC. 8.** If any proprietor neglects to pay to the treasurer, collector, or committee, his assessment for the term of six months, if he resides in the state, or twelve months, if he resides without the state, then the committee may, from time to time, sell at auction so much of his right in the common lands, as will be sufficient to pay his tax and the reasonable charges of sale, after notice of such sale, posted up as aforesaid, and published in two of the newspapers before named five weeks successively next before the time of sale; and may give deeds thereof in fee to the purchaser.

SEC. 9. The proprietor of the right so sold may redeem it within a year, by paying to the committee the sum for which it was sold, with twelve dollars for each hundred produced by such sale, and in that proportion for a greater or less sum. CHAP. 56.  
Right of redemption.  
R. S. c. 56, § 9.

SEC. 10. 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. Treasurer's powers and duties.  
R. S. c. 56, § 10.

SEC. 11. A majority of proprietors present at any legal meeting, may order, manage, improve, divide, or dispose of their lands as they choose; and they may vote in person, or by attorney appointed in writing. Management of property. Proxies.  
R. S. c. 56, § 11.

SEC. 12. After a final division of their common property, they shall cause their records to be deposited in the office of the clerk of the town in which some part of such lands lie; and he may record votes and certify copies of such records, as the proprietors' clerk might have done; and the last clerk chosen shall continue in office till the records are so deposited. Proprietors' records how preserved.  
R. S. c. 56, § 12.

SEC. 13. 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, for collecting and paying all debts due to or owing by the corporation; and may call and hold meetings, vote assessments to pay their debts, and all other charges necessary for closing their business. Certain corporate powers continued after final division.  
R. S. c. 56, § 13.

SEC. 14. The owners of an unincorporate township or tract of land are authorized to call meetings to raise money, and to choose officers to assess and collect it, for making and repairing highways laid out according to law. Money raised for highways.  
R. S. c. 56, § 14.