

MAINE STATE LEGISLATURE

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FIFTH REVISION.

THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED SEPTEMBER 1, 1903, AND TAKING EFFECT JANUARY 1, 1904.

BY THE AUTHORITY OF THE LEGISLATURE.



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CHAPTER 57.

LIBRARIES AND CHARITABLE SOCIETIES.

Libraries and societies for certain charitable, literary, social, moral and benevolent purposes, how incorporated.
R. S., c. 55, § 1.
1891, c. 24.
1895, c. 88.
90 Me., 410.
91 Me., 255.
94 Me., 400.

Notice of meeting, how given.
R. S., c. 55, § 2.
94 Me., 400.

Manner of organizing into a body corporate.
R. S., c. 55, § 3.
94 Me., 400.

Officers shall file certificate of organization with secretary of state.
1897, c. 192.

Power to hold property.
R. S., c. 55, § 4.
90 Me., 410.

Charitable corporations, suits by or against.
R. S., c. 55, § 5.
95 Me., 497.

SEC. 1. When seven or more persons desire to be incorporated as proprietors of a social, military, literary, scientific or county law library; as a masonic lodge or chapter of any order or degree; as a lodge of the independent order of odd fellows; as a division of the sons of temperance; as a tent of rechabites; as a grange of patrons of husbandry; as a council of the sovereigns of industry; as a grand army post; as a relief or benefit association for mutual assistance; as a monument or memorial association; as a society to promote temperance; as a village improvement society; or for any literary, scientific, musical, charitable, educational, social, military, agricultural, moral, religious or benevolent purpose; they may apply in writing to any justice of the peace in the county, who may issue his warrant directed to one of said applicants, requiring him to call a meeting thereof at such time and place as the justice appoints.

SEC. 2. Such applicant may call it, by reading the warrant in the presence and hearing of each, or by leaving an attested copy thereof at his last and usual place of abode, at least fourteen days before the day of meeting, or by publishing an attested copy thereof in some newspaper printed in said county, for two weeks successively, the first publication to be at least fourteen days before the day of meeting.

SEC. 3. When assembled pursuant to the warrant, they may organize themselves into a corporation, adopt a corporate name, and they, their associates and successors may have continual succession; have a common seal; elect all necessary officers; adopt by-laws, not inconsistent with law, and enforce the same by suitable penalties; have the same rights and be under the same liabilities, as other corporations, in prosecuting and defending suits at law; and enjoy all other rights, privileges and immunities, of a legal corporation.

SEC. 4. The president, treasurer and majority of the directors or trustees of every corporation organized under the foregoing sections shall, within sixty days after organization, prepare a certificate setting forth the name and purposes of the corporation, the town where located, the number and names of the officers, and shall sign and make oath to it, and shall file the same in the office of the secretary of state, and the secretary of state shall keep a list of the same in a book prepared for that purpose, showing the name, location and date of organization of each such corporation.

SEC. 5. Such corporation may take and hold by purchase, gift, devise or bequest, personal or real estate, in all not exceeding in value one hundred thousand dollars, owned at any one time, and may use and dispose thereof only for the purposes for which the corporation was organized.

SEC. 6. No corporation, organized for charitable or benevolent purposes, shall sue any of its members for dues or contributions of any kind, or be sued by any member for any benefit or sum due him, but all such rights and benefits, dues and liabilities, shall be regulated and enforced only in accordance with its by-laws.

COUNTY LAW LIBRARIES.

SEC. 7. In every county, where five or more attorneys reside, any five of them may procure themselves and the other attorneys resident in the county to be incorporated as aforesaid for the purpose of establishing a law library; and the notification required, if posted in some conspicuous part of the court house seven days previous to their meeting, is sufficient; they may take the name of "The trustees of the law library in the county of——;" and at such meeting, which shall be held at a term of the court therein, they may choose a clerk, librarian and treasurer, to be sworn, and hold their offices during the pleasure of the corporation; they may make all necessary and lawful regulations; and at their meetings, the oldest member present shall preside.

SEC. 8. The treasurer of each library association, under the direction of the trustees, shall apply all moneys received of the county treasurer, and all bequests and gifts, to form a law library under the appointed regulations; and the clerk shall keep an exact record of all their proceedings.

SEC. 9. The treasurer shall keep an exact account of all moneys, gifts and bequests, belonging to the corporation, and annually settle the same on oath, in the manner prescribed; and the treasurer, librarian and clerk, shall be answerable for all misfeasance in an action by the corporation. The treasurer shall, annually, before the second Wednesday in January, deposit in the office of the treasurer of state a statement of the funds received by the corporation during the year preceding.

County law library association, how organized.
R. S., c. 55, § 6.

Duties of treasurer and clerk.
R. S., c. 55, § 7.
See c. 12, § 10.

Treasurer shall keep an account of all moneys, and annually settle the same.
R. S., c. 55, § 8.

FREE PUBLIC LIBRARIES.

SEC. 10. Any town may establish a free public library therein, for the use of its inhabitants, and provide suitable rooms therefor, under such regulation for its government as the inhabitants from time to time prescribe; and may appropriate, for the foundation and commencement of such library, a sum not exceeding two dollars, and for its maintenance and increase annually, a sum not exceeding one dollar, for each of its ratable polls in the year next preceding. Any town in which there is a free public library may establish and maintain under the same general management and control, such branches of the same as the convenience and wants of its citizens seem to demand.

SEC. 11. Any village corporation located in a town where no free library exists, may establish a library within its limits for the free use of all of its inhabitants; and may levy and assess a corporate tax and appropriate therefrom for the foundation and commencement of such library, a sum not exceeding two dollars, and for its maintenance and increase annually a sum not exceeding one dollar for each ratable poll within the limits of such village corporation in the year next preceding. Village libraries established under this section shall be subject to all the duties and entitled to all the privileges prescribed by the laws relating to free public libraries in towns.

SEC. 12. Any town may raise and appropriate annually a sum of money, not exceeding the legal limit established for maintaining free libraries, for the purpose of securing to its inhabitants the free use of a library located in an adjoining town, and shall be entitled to receive from the treasurer of state a sum equal to ten per cent of the amount so raised, appropriated and expended yearly, to be paid on the certificate of its municipal officers returned as provided in section fourteen.

Towns may establish public libraries, and raise money therefor.
R. S., c. 55, § 9.
1893, c. 242, § 1.

—may maintain branches.
1897, c. 233, § 2.

Villages may establish free libraries.
1897, c. 233, § 1.

—may assess tax in support of.

—rights and privileges.
See § 14.

Any town may raise money to secure free use of library in adjoining town.
1901, c. 176, § 2.

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Adjacent towns may unite in establishing free library. 1901, c. 176, § 3.

State shall annually pay ten per cent of amount expended by any town for support of public library. 1893, c. 242, § 2. 1895, c. 110.

Free library maintained by an association receiving aid shall be considered a public library. 1893, c. 242, § 3. 1895, c. 111. 1901, c. 176, § 4.

Free public libraries shall be entitled to Maine reports, etc., from state library. 1893, c. 242, § 4. 1895, c. 53.

—officers shall report annually to librarian of state library.

—aid shall be withheld until report is made.

Librarian authorized to assist certain towns in establishing free public libraries. 1893, c. 242, § 5. 1901, c. 176, § 1.

SEC. 13. Two or more adjacent towns may unite in establishing and maintaining a free public library with branches thereof in each town, for the free use of all the inhabitants of said towns, and may each raise and appropriate for that purpose annually a sum not exceeding the legal limit established for maintaining free libraries, and such towns shall be subject to all duties and entitled to all the benefits prescribed by the laws relating to free libraries.

SEC. 14. The municipal officers in any town or city, and the assessors of any village corporation where a free public library is established, shall annually, on the first day of May, certify to the governor and council the amount of money appropriated and expended by said town, city or village corporation during the preceding year, for the purchase of books and documents for the use and benefit of such free public library, and for the payment of the running expenses thereof; and the governor, with the advice and consent of the council, shall draw a warrant on the treasurer of state for the purchase of books for the use of such library, for a sum equal to ten per cent of the amount expended by said town or village corporation as certified by its municipal officers or assessors.

SEC. 15. Any town or city, in which there is a library owned or controlled by a corporation or association, may appropriate a sum not exceeding one dollar for each of its ratable polls in the year next preceding to procure from such library the free use of its books for all the inhabitants of the town or city, under such restrictions and regulations as shall insure the safety and good usage of the books; and such library shall then be considered a free public library within the meaning of this chapter, and said town or city shall be entitled to the benefits of the preceding section, provided that any books and documents purchased with said stipend, and all books and documents donated by the state, shall be and remain the property of said municipality.

SEC. 16. In every town and city where a free public library exists, the librarian of the state library shall transmit to such library all laws, Maine reports, and other documents which the town or city is by law entitled to receive from the state, and the same shall be constantly kept in such library for the use and benefit of all the citizens; and the municipal officers of said town or city, shall transfer to said library all the laws, Maine reports and other documents, heretofore received from the state, and now in custody of any of the officers of said town or city; and the officers of said library, on or before the first day of April of each year, shall send to the librarian of the state library a report containing a list of all books and documents purchased with the state stipend for the preceding year, and of all books and documents received from the state in said library. The aid from the state, hereby provided, shall be withheld from any town, city or village corporation until the report herein required to be made on or before the first day of April of each year, shall have been received by the librarian of the state library. And the same shall also be withheld unless said report shall show that the laws, Maine reports and other documents furnished to said town or city by the state are kept in said library as required by this section.

SEC. 17. The librarian shall donate from the state library to any town having no free public library owned or controlled by the town, books purchased for that purpose, not exceeding fifty per cent in value of the books and documents purchased by said town for the purpose of founding a free public library therein; said donation in no case to exceed one hundred

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dollars. No town shall be entitled to the benefits of this provision, until its legal voters, at a regularly called town meeting, have raised and appropriated not less than one hundred dollars for the purchase of books, and have provided for the care, custody and distribution of its own books, and of those to be donated by the state.

SEC. 18. The librarian or trustees of any free public library may ask the governor and council for advice in regard to the selection of books, and may receive instruction at the state library in cataloguing, and any other matters pertaining to the maintenance or administration of the library.

SEC. 19. Any town, as such, may receive, hold and manage devises, bequests or gifts for the establishment, increase or maintenance of a public library therein; and may accept by vote of the legal voters thereof, any land or land and buildings thereon, to be used as a public library or art gallery, or both combined. When any plantation is incorporated into a town, such gifts and the proceeds thereof fully vest in such town.

Note. Wanton injury to a book, picture, statue or painting in any public library punished, c. 123, § 21.

—town not entitled to benefits, until it has raised one hundred dollars. 1893, c. 242, § 6.

Librarians may receive advice from governor and council. 1893, c. 242, § 7.

Towns may receive devises and gifts for public libraries. R. S., c. 55, § 10. —may accept land and buildings for public libraries and art galleries. 1887, c. 93. 90 Me., 414.

CHAPTER 58.

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

SEC. 1. When any five, or a majority, of the proprietors of lands or wharves, held in common, desire a meeting of the proprietors for the purpose of forming a corporation, or for any other purpose, they may make written application signed by them or their agents, to any justice of the peace residing in the county in which the lands or wharves are situated; said justice shall thereupon issue his warrant 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.

SEC. 2. If the lands lie in one or more incorporated towns, a notice in writing shall be posted 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, 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.

SEC. 3. At such meeting, such proprietors as assemble in person or by attorney may organize into a corporation if not already so organized, choose a moderator, clerk, treasurer, assessors, collector of taxes, committees and other needful officers; and may by vote decide upon the manner of calling and notifying future meetings. (a)

SEC. 4. The clerk, treasurer, assessors and collector, shall be sworn by the moderator or a justice of the peace, and the clerk shall record the votes passed at all meetings. (b)

SEC. 5. No business shall be acted upon at any meeting, unless distinctly expressed in the warrant therefor; the proprietors' votes shall be

Warrant for calling meetings, to whom directed. R. S., c. 56, § 1. 12 Me., 313, 400. 18 Me., 215. 26 Me., 549.

Modes of giving notice. R. S., c. 56, § 2.

Officers, and calling of future meetings. R. S., c. 56, § 3.

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

No business to be transacted, unless

(a) 18 Me., 215; 26 Me., 549.

(b) 26 Me., 553; 53 Me., 233.