

MAINE STATE LEGISLATURE

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SIXTIETH LEGISLATURE.

SENATE.

No. 91.

[NEW DRAFT.]

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-ONE.

AN ACT to enforce returns and publication of state-
ments by corporations.

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

SECTION 1. Section twenty-three, of chapter
2 forty-six, of the revised statutes, is hereby amended
3 by striking out all after the word "state," in the
4 sixth line, so that said section as amended shall
5 read as follows:

6 *Sect. 23.* A deposit of the return required in
7 the two preceding sections in a postoffice, postage
8 paid, properly directed, is to be a compliance.
9 For the neglect or refusal of its office to make
10 such return, the corporation forfeits five hundred
11 dollars, to be recovered in an action of debt, one-

12 half to the use of the prosecutor, and the other to
13 the state.

SECT. 2. Whenever any corporation or its offi-
2 cers shall neglect to make to the secretary of the
3 state any return required by law, the secretary of
4 state shall forthwith notify the attorney general
5 thereof, and the attorney general shall thereupon
6 proceed at once by an action of debt in the name
7 of the state, to enforce and recover for the state
8 the penalties provided by law.

9 “Such action may be brought in any county in
10 the state. In addition to the penalties provided
11 by law in such cases, the following costs shall be
12 recovered in behalf of the state against said cor-
13 poration, to-wit: for the attorney general for the
14 writ, an attorney fee, and travel and attendance
15 at court not exceeding two terms, and for the state
16 such other costs as are legally taxable in actions
17 at law.”

SECT. 3. If at any time within thirty days from
2 the commencement of the action under section one
3 of this act, such corporation shall make to the
4 secretary of state the returns required by law, the
5 secretary of state shall forthwith notify the attor-
6 ney general, and he shall discontinue such suit

7 upon the payment to him of the costs already
8 accrued.

SECT. 4. If any officer of a corporation, charged
2 by law with the duty of taking and causing to be
3 published, any statement in regard to such corpo-
4 ration, shall neglect so to do, such officer in addi-
5 tion to penalties already provided, shall forfeit the
6 sum of five hundred dollars, to be recovered by
7 action by debt, or action on the case, to the use of the
8 person suing therefor.

STATE OF MAINE.

In SENATE, March 9, 1881.

Reported by Mr. EMERY, from the Committee on the Judiciary, and ordered printed under the Joint Rules.

C. W. TILDEN, *Secretary.*