

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

BANGOR:
WHEELER & LYNDE.

1857.

CHAPTER 52.

CORPORATIONS FOR NAVIGATION BY STEAM. COMMON CARRIERS.

- SEC. 1. Officers to be stockholders, treasurer's office within the state.
2. Liability for neglect and misconduct.
3. Debts not to exceed half amount of capital.
4. Treasurer to publish amount of capital and of debts, in January annually.
How to be published. Penalty for neglect or publishing false statement.
5. If debts exceed half amount of capital, stockholders liable.
6. Boats liable for loss or damage of property transported in them, and may be attached and sold.
7. Certain sections of chapter fifty-one applicable to steamboats, 'stage coaches, and common carriers.

SEC. 1. Corporations, created for navigation by steam, are to have officers who are and continue to be stockholders, and to have a treasurer, who keeps an office within the state.

SEC. 2. They are liable for the breach of contracts, express or implied, made as common carriers; for their neglect and misconduct; and for that of their agents, to the same extent as owners of vessels are by the maritime law.

SEC. 3. They are prohibited from contracting debts and incurring liabilities exceeding at any one time half the amount of their existing capital, estimated at its then actual value.

SEC. 4. Their treasurer is to publish annually in the month of January, in a newspaper printed in the county where his office is kept, if any, otherwise in the state paper, a statement, under oath, of the amount of assessments actually paid in; the amount of its then existing capital; the amount of debts and liquidated liabilities against it. For neglecting to do it, he is liable to a fine not exceeding five hundred dollars, or to imprisonment not exceeding six months. For such neglect, or knowingly publishing a false statement with intent to injure a present or future creditor, he is to be punished by a fine not exceeding one thousand dollars, or imprisonment in a county jail less than one year, or in the state prison not exceeding five years, or by all of them, according to the aggravation of the offence.

SEC. 5. If the amount of indebtedness, including liquidated liabilities, exceeds, at the time when contracted, or immediately after making a dividend of capital or profits, this limitation, the stockholders become individually liable for such debts, without limitation of amount, for the time and to be enforced in the manner provided in sections twenty-four to forty-eight inclusive of chapter forty-six.

SEC. 6. For the loss or damage of property transported on a river, stream, or bay, by boat for hire, the boat is liable, whether owned or not by the person undertaking such transportation, and may be attached on a writ against him sued out within sixty days after such loss or damage; and may be sold on an execution issued on a judgment recovered in such suit as other personal property, and any surplus paid to the owner of the boat. Such attachment is to be effectual against any conveyance or lien after such loss or injury, and prior to the attachment.

Officers to be stockholders. Treasurer's office within the state.

1845, c. 154, § 2, 4.

Liable for neglect and misconduct.

1845, c. 154, § 1.

Debts not to exceed half of capital.

1845, c. 154, § 3.

Treasurer to publish annually a statement of capital and debts; penalty.

1845, c. 154, § 2.

If debts exceed half of capital, stockholders liable.

1845, c. 154, § 3.

Boats liable for loss or damage of property transported, and may be attached.

26 Maine, 185. 27 Maine, 132. 1846, c. 194, § 1, 2.

CHAP. 52.

Certain sections of chapter 51, applicable to steamboats, stage coaches, and common carriers.
1848, c. 70, § 2.
1853, c. 44,
§ 1, 2, 3, 4, 5.
1854, c. 107, § 1.
1855, c. 161,
§ 1, 2.

SEC. 7. The provisions respecting payment and evading payment of fares, contained in section forty-seven of chapter fifty-one, are applicable to steamboats. The effects left by passengers in steamboats are to be advertised as provided in section forty-nine of that chapter. The provisions contained in sections forty-nine, fifty, fifty-one and fifty-two, of that chapter, are applicable to these corporations. The provisions contained in section forty-two of that chapter are applicable to these corporations, and to the proprietors of stage coaches, and to common carriers.

 CHAPTER 53.

TELEGRAPH COMPANIES.

- SEC. 1. Owners liable for errors in transmitting dispatches, and for unnecessary delays.
2. Agents liable for misfeasance. Owners liable in case of inability of agent.
 3. Operator, &c., not exonerated in case of fraud. Owners and operators not exonerated from liabilities at common law.

Owners liable for errors in transmitting dispatches. And for unnecessary delays.
1852, c. 237,
§ 1, 2.

SEC. 1. A person or company owning or using any line of telegraph, wholly or partly in this state, for any error, or improper and unnecessary delay in writing out, transmission, or delivery within the usual delivery limits of their offices, of a dispatch by their operators or agents, making it less valuable to the person interested therein, shall be liable for the whole amount paid on such dispatch.

Agents liable for misfeasance.
1852, c. 237, § 3.

SEC. 2. Such operator or agent who designedly falsifies a dispatch for any purpose, shall forfeit not less than twenty, nor more than one hundred dollars for each offence, to be recovered in an action of debt; and in case of his avoidance or inability to pay a judgment recovered against him for such cause, such person or company shall forfeit the same sum.

Operator, &c., not exonerated in case of fraud, &c.
1852, c. 237, § 4.

SEC. 3. Nothing herein shall exonerate any operator, agent, clerk, or other officer, employed on a telegraph line, from liability for any act of fraud committed or attempted by means of telegraphic communication; or the company from any liabilities existing at common law for any neglect or wrongdoing of such company or its agents.