

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 560

House of Representatives, Mar. 14, 1911.

*Reported by Mr. Hersey from committee on Judiciary and
ordered printed under joint rules.*

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND ELEVEN.

AN ACT to amend Section forty of Chapter forty-seven of
the Revised Statutes of the State of Maine.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Section forty of Chapter forty-seven of the
2 Revised Statutes of nineteen hundred and three is hereby
3 amended by adding at the end of the second sentence there-
4 of the following words: 'Provided, however, that if at the
5 time of such decrease there shall remain in the treasury of
6 said corporation any unissued capital stock, such decrease
7 may be effected by first retiring such unissued capital stock
8 not exceeding the amount of such decrease,' so that said
9 Section as amended shall read as follows, to wit:

'Sect. 40. If the stockholders of any corporation organ-
11 ized under this chapter shall desire to decrease the amount

12 of its capital stock, the stockholders at a meeting duly called
13 for the purpose or at any annual meeting when notice shall
14 have been given of such proposed action in the call therefor,
15 may by a vote representing a majority of all the stock
16 issued decrease the amount of its capital stock to any
17 amount desired, and the corporation shall give notice of
18 such change to the secretary of state within ten days there-
19 after. And each stockholder shall within three months af-
20 ter such meeting surrender such a proportion of his stock
21 as the amount of decrease shall bear to the amount of the
22 capital stock before the decrease, so that each stockholder
23 shall have the same proportion of the whole capital stock
24 of the company as before the decrease; provided, however,
25 that if at the time of such decrease there shall remain in
26 the treasury of said corporation any unissued capital stock,
27 such decrease may be effected by first retiring such un-
28 issued capital stock not exceeding the amount of such de-
29 crease. This Section shall not affect or prejudice in any
30 way the rights of creditors of such corporation existing at
31 the time when the reduction of its capital stock organized
32 hereunder shall be consummated.'