

# MAINE STATE LEGISLATURE

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# PUBLIC ACTS

OF THE

# STATE OF MAINE,

PASSED BY THE

## FIFTH LEGISLATURE

AT ITS SESSION, HELD IN JANUARY, 1825.

PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28TH OF JUNE, 1820.

Portland :

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1825.

## CHAPTER CCCXV.

AN ACT to prevent frauds in the business of Banks, and of public offices and trusts.

Cashier or other officer of any bank, entrusted with money, &c. who shall fraudulently pay or deliver the same, shall suffer the punishment provided in the 9th section of this act.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That if any cashier, or other officer or servant of any bank in this State, entrusted with, or having the custody of, any money, bill, note, security for money, evidence of debt, or other effects whatever, belonging to such bank, shall, contrary to his duty, and in violation of his trust, fraudulently pay or deliver the same to any person, or to his check or order, knowing that such person is not entitled to receive the same, such person shall suffer such punishment as is hereinafter provided.

SECT. 2. *Be it further enacted,* That if any president or director of any bank in this State, shall, in behalf of such bank, cause to be emitted and put into circulation, any bank bills or bank notes of such corporation, or shall contract by bond, bill, note, or otherwise, any debt obligatory on such bank, with a fraudulent intent, that such bank bills, bank notes, or debt, shall not be paid according to the obligation thereof, and that the creditors of such bank shall thereby suffer loss; or that the bank bills or bank notes, due from such bank, shall not be paid according to the tenor thereof; such president or director shall suffer such punishment as is hereinafter provided.

SECT. 3. *Be it further enacted,* That if any director, or other stockholder, or cashier, of any bank in this State, shall borrow and receive from such bank, any sum of money, or otherwise, for a valuable consideration, become indebted to such bank; or shall aid and abet any person in borrowing and receiving from such bank any sum of money, or in otherwise becoming, for a valuable consideration, indebted to such bank, with a fraudulent intent, that such sum borrowed, or debt owed, shall not be paid, and that the creditors of such bank shall thereby suffer loss, and that the bank bills, or bank notes, due from such bank, shall not be paid, according to

the tenor thereof, such person shall suffer such punishment as is hereinafter provided.

SECT. 4. *Be it further enacted,* That if any director of any bank in this State, shall, on behalf of such bank, loan to any stockholder, or other person, any sum of money, or sell or cause to be sold to any stockholder, on credit, any property of such bank, with a fraudulent intent, that such sum loaned or credited shall not be paid, and that the creditors of such bank shall thereby suffer loss, and that the bank bills, or bank notes, due from such bank, shall not be paid according to the tenor thereof, such person shall suffer such punishment as is hereinafter provided.

SECT. 5. *Be it further enacted,* That if any director or stockholder of any bank in this State, shall fraudulently make a dividend to the stockholders thereof, or to any part of them, or an application to their use, of any of the funds belonging to such bank, beyond the profits, rents, premiums and interest accruing from the business of such bank, with intent that the creditors of such bank shall thereby suffer loss, and that the bank bills or bank notes, due from such bank, shall not be paid according to the tenor thereof, such person shall suffer such punishment as is hereinafter provided.

SECT. 6. *Be it further enacted,* That if any President, Director, Cashier or other officer or servant of any bank in this State, shall in violation of his trust, embezzle or fraudulently convert to his own use, any money, bill, note, security for money, evidence of debt, or other effects whatever, belonging to such bank, such person shall suffer such punishment as is hereinafter provided.

SECT. 7. *Be it further enacted,* That if any public officer, being a receiver of public monies, under any law of this State, and having in his custody such money, or any note, bond, or evidence [of debt] whatever, shall contrary to his duty and in violation of his trust embezzle the same, or fraudulently convert the same to his own use, or fraudulently deliver to any person or his order any such money, note,

Any receiver of public monies who shall embezzle the same shall suffer punishment.

bond, or evidence of debt, knowing that such person is not entitled to receive the same, such officer shall suffer such punishment as is hereinafter provided.

Any guardian who shall embezzle money, shall suffer punishment.

SECT. 8. *Be it further enacted*, That if any guardian, having the charge and custody of any money, bill, note, bond, evidence of debt, or any property whatever, belonging to his ward or wards, shall, in violation of his trust embezzle the same, or fraudulently convert the same to his own use, he shall suffer such punishment as is hereinafter provided.

Person convicted, how punished.

SECT. 9. *Be it further enacted*, That any person, offending in manner prohibited in this act, shall on conviction thereof before the Supreme Judicial Court, be punished by fine, not exceeding five thousand dollars, or imprisonment not exceeding ten years, or both, according to the circumstances and aggravation of the offence.

[*This Act passed February 26, 1825.*]

## CHAPTER CCCXVI.

AN ACT additional to "An Act to promote the sale and settlement of Public Lands."

Land Agent authorized to sell to actual settlers.

Conditions of sale.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That the Land Agent be, and he is hereby authorized and empowered to sell and convey to actual settlers, the public lands in any township belonging to this State, in the manner following, viz. To the first ten settlers, one hundred acres each, for twenty dollars per hundred acres; to the second ten settlers, one hundred acres each, for thirty dollars per hundred acres; to the third ten settlers, one hundred acres each, for forty dollars per hundred acres; to the fourth ten settlers, one hundred acres each, for fifty dollars per hundred acres; and to the fifth ten settlers, one hundred acres each, for sixty dollars per hundred acres; one half of the said amount to be paid in labor, to be laid out in making roads in,