

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

EIGHTH LEGISLATURE,

AT ITS

SESSION HELD IN JANUARY, 1828.

Published agreeably to the Resolve of the 20th June, 1820.

PORTLAND.

PRINTED BY THOMAS TODD.....PRINTER TO THE STATE.

1828.

obtained a written permission therefor from the Selectmen of such town where said Lobsters may be taken.

Penalty ; and how recovered.

SECT. 2. *Be it further enacted*, That if any person or persons shall violate the provisions of this Act, he or they shall forfeit and pay for every such offence, a sum not less than ten, nor more than fifty dollars, to be recovered by action of debt to be commenced within one year from the time of such offence, in any Court competent to try the same, one half to the use of any person who may prosecute therefor, and the other half to the use of the town where the offence shall have been committed.

[Approved by the Governor, February 6, 1828.]

CHAPTER CCCLXXXIV.

An additional ACT defining the Powers of the Judicial Courts in granting Reviews, and for other purposes.

S. J. Court may grant reviews of judgments upon petitions for partition, &c.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That the Justices of the Supreme Judicial Court be, and they hereby are, empowered to grant Reviews of judgments rendered upon petitions for partition, in the same manner as they now are empowered to grant reviews in suits at common law ; and in such cases, and also in writs of partition at common law, to grant a review of all or only a part of the proceedings, as they may deem the justice of the case to require.

[Approved by the Governor, February 7, 1828.]

CHAPTER CCCLXXXV.

AN ACT in addition to the several Acts defining the general powers and duties of Manufacturing Corporations.

Part of former act repealed.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That so much of the proviso in the first section of an Act additional to an Act defining the

general powers and duties of Manufacturing Corporations, as provides that the members of such Corporations shall in any event be personally liable for the debts of such Corporation be, and the same is hereby repealed.

SECT. 2. *Be it further enacted,* That it shall be the duty of the Treasurer of such Corporation once every year to give public notice in some newspaper in the County wherein such Corporation is established ; and where no newspaper is printed in the County, then in some newspaper in an adjoining County, of the amount of all assessments voted and paid in by such Corporation, and of the then existing capital stock. And if any such Treasurer shall neglect or refuse to make such publication, or shall knowingly publish a false statement, he shall on conviction thereof be fined a sum not exceeding two thousand dollars, or imprisoned for a term not exceeding twelve months.

Treasurer of corporation to give public notice of assessments, &c.

Penalty.

SECT. 3. *Be it further enacted,* That the Directors or other officers of such Corporation shall make no division of the Capital Stock, or any part thereof, or of any other property, or debts belonging to such Corporation, until all the debts due therefrom shall have been paid ; saving, however, the right to make dividends of the nett profits arising from the Capital Stock. And any Director or other officer or member of such Corporation who shall be convicted of voting or aiding in the violation of any provision in this section, shall be fined a sum not exceeding two thousand dollars, or imprisoned for a term not exceeding twelve months : and all sums received by any member in violation of the provisions of this section shall be liable to be recovered back of such member by any creditor of such Corporation in an action of the case.

Directors or others not to divide any part of the Capital Stock until debts of corporation are paid.

Penalty.

SECT. 4. *Be it further enacted,* That the Agent or other officer of such Corporation having charge of its property shall on request of any officer having a writ or execution against the

Agents or other officers to furnish schedule of property belonging to corporation, to officers having precepts against it

same, deliver to the officer having such writ, the names of the Directors and Clerk, and to the officer having such execution a schedule of all the property of such Corporation, including debts; and shall for want of other property transfer to the creditor in such execution, such debt or debts as the officer or creditor may elect, sufficient to satisfy such execution, and deliver the evidence of such debt or debts with the transfer thereof to the officer for the use of the creditor. And if such Agent or other person shall unnecessarily neglect or refuse to comply with the provisions of this section, he shall on conviction thereof be fined a sum not exceeding four times the amount due on such execution, or be imprisoned for a term not exceeding twelve months.

Penalty.

Books of corporation to be produced in court in certain cases when required.

SECT. 5. *Be it further enacted,* That when any suit or prosecution shall be pending in any Court for a violation of any of the provisions of this Act, it shall be the duty of the Clerk, or other person having the care or charge of the books of such corporation, to produce the same, upon notice in writing being given so to do, on the trial of such suit or prosecution. And if such Clerk, or other person, shall neglect or refuse so to do, he shall be liable to the like payment, fine, or punishment, as the person so on trial, would have been on conviction.

Penalty.

[Approved by the Governor, February 12, 1828.]

CHAPTER CCCLXXXVI.

AN ACT to authorize the Selectmen of Portland and Bath to appoint an additional number of Enginemen.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That the Selectmen of the town of Portland be, and they hereby are authorized, in manner by law provided for the appointment of Enginemen, to appoint for the Engine in said town, called the

Number in Portland increased.