

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1845.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,  
and March 16, 1842.  
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AUGUSTA:

WM. T. JOHNSON, PRINTER TO THE STATE.

1845.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1845.

CHAP. 153.

state, and to give lectures or addresses to farmers on subjects pertaining to their business; and to disseminate information by publishing books, pamphlets and papers, devoted to such information.

SECT. 2. All acts or parts of acts, inconsistent with the provisions of this act, are hereby repealed.

[Approved March 27, 1845.]

Chapter 153.

AN ACT to compel the attendance of witnesses in criminal prosecutions.

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

If witness duly summoned, in behalf of the state, &c., fail to appear, penalty.

If any person, competent as a witness, who shall have been duly summoned to appear and give evidence, in behalf of the state, before any court or grand jury, shall, without reasonable cause, fail so to do, at the time and place designated in the summons therefor; such person shall be punished, on indictment, by a fine not exceeding one hundred dollars, or by imprisonment in the county jail, not exceeding one year: *provided, however,* that this act shall not apply to any person who shall have been punished for the same delinquency, as for a contempt.

Proviso.

[Approved March 27, 1845.]

Chapter 154.

AN ACT in relation to steam navigation corporations.

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

Liability as common carriers, &c.

SECT. 1. All corporations heretofore created in this state since the seventeenth day of March, eighteen hundred and thirty-one, and which shall be hereafter created for the purposes of steam navigation, unless otherwise expressed in their charter, shall hereafter be liable for all claims for damages against any such corporation arising out of the breach of any contract, express or implied made by such corporation as common carriers or from the misconduct or neglect of such corporation or its agents, under the maritime law, in every case to the same extent as owners of vessels are liable by law: and in case of a deficiency of attachable corporate property or estate, the individual property and rights and credits of any stockholder thereof, shall be liable to be taken on execution to the amount

How claims for misconduct or neglect may be recovered.

of his stock, in the manner as now provided in the eighteenth section of the seventy-sixth chapter of the revised statutes, for all debts contracted and liabilities incurred by such corporations during his ownership of such stock, and such liability shall continue for the period of time, and may be enforced by the same proceedings, as is provided for the continuance and enforcement of the liability mentioned in the said eighteenth section of said chapter, and the liability to contribution between stockholders shall be the same and enforced in the same manner, as is provided in said chapter.

SECT. 2. Every such corporation shall have a treasurer; and he shall keep his office within this state and shall publish annually in the month of January in some newspaper printed in the county in which he keeps his office, and in case no paper is printed therein then in some newspaper printed in an adjoining county, or in the paper published by the printer to the state, a correct statement, under oath, of the amount of all the assessments voted by the corporation and actually paid in, the net amount of the then existing capital stock, the amount of all the debts due from, and of the liquidated liabilities against such corporation. If any such treasurer shall neglect or refuse to publish such statement, he shall be fined not exceeding five hundred dollars, or be imprisoned not exceeding six months, on indictment and conviction thereof. And if he shall neglect or refuse to publish such statement, or shall knowingly publish a false statement with the fraudulent intent to injure any creditor or claimant, or any that might thereafter become a creditor or claimant of such corporation, he shall be deemed guilty of a high misdemeanor, and upon indictment and conviction thereof he shall be punished by fine not exceeding one thousand dollars, imprisonment in the county jail not exceeding one year, confinement in the state prison to hard labor not exceeding five years, or any or all of said punishments according to the aggravation of the offence.

Treasurer.

Duty to publish annual statements.

Penalty for neglect or refusal.

Penalty for publishing fraudulent statements, with intent to deceive or injure.

SECT. 3. All such corporations are hereby expressly prohibited from contracting debts which, with the amount of liquidated liabilities, shall exceed at any one time, one half of the amount of their capital stock paid in and remaining undivided in the possession of the company, estimated at its actual value at the time; and if the amount of indebtedness of any such corporation, with the liquidated liabilities against the same, at the time of contracting any of such debts or at the time or immediately after making any dividend of the capital or profits, shall exceed the limitation aforesaid, then the stockholders shall at once become individually liable for all the debts and liabilities of their respective corporations; and such liabil-

Power of contracting debts limited.

Stockholders individually liable for violation.

CHAP. 155. ity shall continue for the same period of time and such proceedings shall be had to enforce the same against such stockholders, but without limitation as to the amount and for contribution between stockholders, as is provided in said chapter seventy-six of the revised statutes.

Directors and treasurer shall be stockholders.

SECT. 4. No person shall be chosen a director or treasurer of any such corporation, nor continue to hold any of such offices unless he be a stockholder therein.

SECT. 5. This act shall take effect and be in force from and after its approval by the governor. And all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

[Approved March 31, 1845.]

Chapter 155.

AN ACT for the protection of certain roads.

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

Specification of such teams and carriages as shall be allowed to pass over certain state roads.

SECT. 1. From and after the first day of August next, no cart or wagon, drawn by a greater team than two horses or two oxen, shall pass over or upon the Mattanawcook road leading from the northerly line of the town of Milford to Lincoln village; the military road leading from said village to Houlton; the Aroostook road leading from said military road to the Aroostook river, in township number eleven, in the fifth range; the Fish river road leading from the Aroostook river, at the termination of said Aroostook road, to fort Kent at the mouth of Fish river; and the road from Guilford village to Moosehead lake, in the town of Greenville; unless the rims of the wheels thereof shall be of the following width, viz: the rims of any cart or wagon, drawn by more than two horses or two oxen, shall be at least four inches wide; the rims of any cart or wagon, drawn by more than four horses or four oxen, shall be at least five inches wide; and no cart or wagon shall pass over either of said roads drawn by a greater team than six oxen or six horses: *provided, however,* that the foregoing restrictions shall not apply to stage coaches, pleasure carriages, or to any cart, wagon, or other carriage, owned by the United States, or this state, or to any cart or wagon owned by settlers in the vicinity of said roads where such cart or wagon is used for farming purposes.

Penalty.

SECT. 2. If any cart or wagon shall pass upon either of said roads contrary to the provisions of the first section of this act, the