

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE,

1855.

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

AUGUSTA:
STEVENS & BLAINE, PRINTERS TO THE STATE.

1855.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1855.

CHAP. 169. in section thirteenth of said chapter, and all beef and pork, with a less quantity than is provided for by said section, shall be branded "light salted," and any person packing beef or pork, under the supervision of the inspector general, or his deputy, shall give a good and sufficient bond to save harmless from all liabilities and costs, the inspector general and his deputies, in consequence of beef or pork being light salted.

Beef and pork without brand of inspector, sale of, &c., prohibited.

Penalty.

Proviso.

Fines, &c., how recovered.

Inspector not to engage in the sale of beef and pork.

Penalty for violation.

SECT. 2. No pork or beef packed in or imported into this state, in barrels or half barrels or other casks, which shall not bear thereon the brand of an inspector showing the quality and quantity thereof, and the name of an inspector of some one of the United States, shall be shipped for exportation or for ship's use, or transported out of the state in any other mode, or sold or offered for sale in this state, and any person or persons shipping, selling or offering for sale or transportation, or ship's use, any such beef or pork, shall forfeit for every such barrel or half barrel or other cask, ten dollars: provided nevertheless, that hams of beef or pork, reserved for pickling or smoking, may be exported without inspection: the said fines or forfeitures may be collected either by complaint or by action at law in any court competent to try the same, one-half to the use of the city or town, where the offense is committed, the other moiety to the officer or complainant prosecuting for the same.

SECT. 3. No inspector or deputy inspector of beef and pork, shall be concerned directly or indirectly in the beef or pork business, or in buying or selling beef or pork, for barreling, so long as he shall hold the office of inspector or deputy inspector. Any one violating the provisions of this act, shall forfeit twenty dollars, and forever after be disqualified from holding the office of inspector or deputy inspector of beef and pork.

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed.

[Approved March 16, 1855.]

Chapter 169.

An act to amend the seventy-sixth chapter of the revised statutes.

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

SECT. 1. The words "to be taken on execution," in the sixth line of the eighteenth section of the seventy-sixth chapter of the revised statutes, and the nineteenth and twentieth sections of said

chapter, are hereby repealed, and the following section is substituted CHAP. 170.
in place thereof, namely:

SECT. 19. After such execution shall have been returned unsatisfied as aforesaid, the judgment creditor may have an action of scire facias, with the usual provision for attachment of property, against any one or more stockholders of such corporation, to show cause why judgment should not be recovered against them for the amount due on his execution to the extent of their individual liability aforesaid; and in the execution issued upon any such judgment in scire facias, the proportion to be paid by each of said stockholders, shall be specifically designated. And in such action of scire facias, any defendant may prove in reduction of his said liability, the amount of debt of the corporation he has previously paid, re-payment of which has not been made or secured to him, and may show any other legal cause why judgment should not be rendered against him: *provided*, that this act shall not apply to any suits or actions now pending.

Action of scire facias against stockholders of corporations.

Certain facts may be shown in defense.

SECT. 2. The treasurer of every such corporation shall keep a full record of claims in favor of its stockholders against the corporation, and exhibit the same with a particular statement of the financial condition of such corporation, to any creditor of the corporation when requested by him, and in failure of exhibiting such statement, the stockholders of said corporation shall not be entitled to the benefit of this act, in any action brought by such creditor, on his claim against the corporation, but shall have a remedy upon the bond of the treasurer.

Treasurer to keep record of claims of stockholders against corporation, &c.

SECT. 3. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 16, 1855.]

Chapter 170.

An act in relation to bankrupt plaintiffs.

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

SECT. 1. No action in the name of a party who shall have been declared a bankrupt, shall be defeated, because it was not brought in the name of the assignee of such party, unless the objection shall have been seasonably made by a plea in abatement; provided such assignee before final judgment shall cause to be filed in the office of the clerk of the court in which the action may be pending, his assent to the suit or any other writing which in the opinion of the

Actions in name of bankrupt plaintiffs, not defeated in certain cases.