

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.

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1855.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1855.

chapter, are hereby repealed, and the following section is substituted CHAP. 170.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.

CHAP. 171. court shall protect the defendant against any suit in the name of the assignee.

SECT. 2. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 16, 1855.]

Chapter 171.

An act to amend "An act in relation to the returns of railroad corporations."

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

Section second of "An act in relation to the returns of railroad corporations," approved August fifteenth, eighteen hundred and forty-nine, is hereby amended by striking out, in the fourth line, the words "at the commencement of," and inserting instead thereof the word "during," so that said section, as amended, will read as follows:

Returns of railroad corporations, when to be prepared in tabular form for the use of legislature.

SECT. 2. It shall be the duty of the secretary of state to arrange the information which may be contained in such reports, in a tabular form, and prepare the same in a single document for the use of the legislature during its session.

[Approved March 16, 1855.]

Chapter 172.

An act to authorize the owners of meeting-houses to sell or remove or repair the same.

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

Proprietors of meeting-houses, &c., authorized to repair or dispose of the same.

SECT. 1. The owners of pews, or the proprietors of, or in any meeting-house in this state, are hereby empowered to repair, remodel, sell and convey, their house and the lot of land on which it stands, or the house without the land, or remove or rebuild the same, provided that a majority of the owners or proprietors of such house and land present at any legal meeting called for that purpose, shall authorize the same. The warrant calling such meeting shall be posted upon said meeting-house in the usual place of posting notices, and in one other public place in the precinct where said meeting-house is situated, at least fourteen days before the day of meeting, signed by at least five of the said owners or proprietors,

Warrant for calling meeting.