

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTIETH LEGISLATURE,

OF THE

STATE OF MAINE.

1871.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1871.

Chapter 184.**CHAP. 184.**

An act to amend section twenty-nine of chapter eighty-one of the revised statutes, relating to attachment of personal property.

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

SECT. 1. Section twenty-nine of chapter eighty-one of the revised statutes is hereby amended by striking out the following words in the first line of said section, "living animals or goods," and inserting instead the following words, 'any personal property,' so that said section, as amended, shall read as follows :

R. S., chap. 81, sect. 29, relating to attachment of personal property, amended.

'Sect. 29. When any personal property liable to perish, be wasted, greatly reduced in value by keeping, or kept at great expense, is attached, and the parties do not consent to a sale thereof, the same may be examined and appraised before or after the entry of the action, as follows.'

SECT. 2. This act shall take effect when approved.

Approved February 15, 1871.

Chapter 185.

An act fixing the time when acts of incorporation shall become null and void.

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

SECT. 1. That all acts of incorporation hereafter granted by the legislature shall be null and void in four years from the day when the same take effect, unless such corporations shall have organized and commenced actual business under their charters.

Limitation of acts of incorporation.

SECT. 2. This act shall take effect when approved.

Approved February 15, 1871.

Chapter 186.

An act concerning the liability of railroads for defective crossings.

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

SECT. 1. In any action against the inhabitants of a town for damages alleged to have occurred by reason of a defect in a railroad crossing, constituting a part of a highway which said town is obliged to keep in repair, the railroad company owning or occupying such crossing, may be notified of the pendency of the suit, and may take upon itself the defence of the same.

Railroad companies may assume the defence of suits against towns for defective railroad crossings.

CHAP. 187.

Railroad companies liable for defective crossings.

SECT. 2. In the trial of such action, after notice as provided in the first section has been given, if the plaintiff recovers damages, and the jury find specially that the same was occasioned by the fault of said railroad company, the company shall be liable to the defendants in said suit in an action of debt for all damage and costs paid by them.

Notice of pendency of suit to railroad companies.

SECT. 3. The notice required in section one of this act, shall be by copy of the writ served upon the company at least thirty days before the sitting of the court to which it is returnable, or by such notice as the court may order after the entry of said action.

SECT. 4. This act shall take effect when approved.

Approved February 15, 1871.

Chapter 187.

An act additional to and amendatory of chapter forty-eight of the revised statutes in regard to the formation of corporations.

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

Additional to chap. 48, sections 18, 19 and 20, R. S., in regard to formation of corporations.

SECT. 1. In the formation of corporations under the provisions of sections eighteen, nineteen and twenty of chapter forty-eight of the revised statutes, the persons associating together shall, in their written articles of agreement, provided by section eighteen, express the limits within which the capital stock of company is to be fixed. And the certificate provided by section nineteen shall show these limits, together with the other matters as now required by section nineteen.

R. S., chap. 48, sect. 4, amended.

SECT. 2. Section four of the same chapter is amended by inserting after the word "charter" in the first and fifth lines, the words 'or written articles of agreement,' so that the section as amended, shall read :

Capital and shares.

'Sect. 4. The capital is to be fixed within the limits of the charter or written articles of agreement and divided into shares; and the names of owners, and the number of shares owned by each, are to be entered of record at its first meeting. The capital may be subsequently increased to the amount allowed by its charter or written articles of agreement by adding to the number of shares.'

SECT. 3. This act shall take effect when approved.

Approved February 15, 1871.