

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1878.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1878.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1878.

if all or any part of the money paid by the state for the support of such free high schools, shall be expended for any other purpose than for the support of said free high schools, as provided by this section, then the person or persons so misapplying said money shall forfeit double the sum so misapplied, to be recovered in an action of debt, in the name and to the use of the town, by any inhabitant thereof; and no town shall receive further support from the state for any free high school, until the amount so received, but misapplied, shall be raised and expended for such free high schools by such town.'

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

Approved February 19, 1878.

CHAP. 53.

Penalty for misapplying money appropriated by state.

Chapter 53.

An act in addition to chapter fifty-one of the Revised Statutes, relating to Mortgages of Corporations.

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

SECT. 1. The provisions of sections forty-seven to seventy, each inclusive, of chapter fifty-one of the revised statutes, and all acts explanatory or amendatory thereof or additional thereto, shall apply to and include all mortgages of franchises, lands, property and rights of property of any kind whatever, whether heretofore given or hereafter to be given by any corporation to trustees, to secure the payment of scrip or bonds of said corporation, in all cases in which the principal of said scrip or bonds shall have been due and payable for more than three years, and shall remain unpaid in whole or in part, in the same way and to the same extent as if the mortgage had been legally foreclosed, subject to all rights of redemption, as provided in section fifty-seven of said chapter fifty-one; and the holders of said scrip or bonds shall have the benefit of all said provisions and acts, and shall have all the rights and powers of the corporation under its charter, and may form a new corporation in the manner provided in said chapter fifty-one, and the acts amendatory thereof and additional thereto, whenever the holders of such scrip or bonds to any amount exceeding one-half of the same shall so elect, in writing.

Provisions of secs. 47 to 70 of ch. 51, R. S., and amendatory acts, to apply to mortgages of corporations given to trustees, as if legally foreclosed.

Rights and powers of holders of scrip and bonds.

CHAP. 54.

Amount of capital stock of new corporation.

—value of shares.

—not liable to further assessment.

SECT. 2. The capital stock of such new corporation shall be equal to the amount of unpaid bonds and coupons secured by such mortgage, taken at their face at the time of the organization of the new corporation, and the amount required to redeem any prior mortgage, and shall be divided into shares of one hundred dollars each. All stock issued under the provisions of this act shall be taken and considered as paid for in full, and shall not be liable to further assessment; and no person, taking or holding the same, shall by reason thereof be liable for the debts of such corporation.

Approved February 19, 1878.

Chapter 54.

An act in addition to chapter forty-nine of the Revised Statutes, in relation to Life Insurance.

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

Proceedings for appointment of receiver of life insurance company, maintained by insurance commissioner.

—shall suspend right of insolvent companies to do business.

If solvent, proceedings shall be dismissed.

No bill in equity, or other proceedings for the appointment of a receiver of a domestic life insurance company, or to wind up its affairs, shall be maintained by any other person than the insurance commissioner. If it shall appear to the commissioner that the assets of any such company are less than its liabilities, reckoning the net value of its policies according to the combined experience or actuaries' rate of mortality, with interest at six per centum per annum, he shall suspend the right of such company to do business, and apply to a justice of the supreme judicial court to proceed as provided in the forty-eighth section of chapter forty-nine of the revised statutes; but if it shall appear that the assets are greater than its liabilities, computed as aforesaid, such proceedings shall not be commenced, or, if commenced, they shall be dismissed, and the company allowed to resume the transaction of business.

Approved February 20, 1878.