

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
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1891.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1891.

CHAP. 41**Chapter 41.**

An Act to amend section eleven, chapter eighteen, of the Revised Statutes, relating to Ways.

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

Sec. 11, ch. 18,
R. S., amended.

—proceedings
when an appeal
is taken for
increase of dam-
ages.

Section eleven, chapter eighteen, of the revised statutes is hereby amended by adding thereto the following words :
'If any appeal for increase of damages is taken, and the commissioners are of opinion that their proceedings hereunder, or any part thereof, ought not to take effect, they shall enter a judgment that the prayer of the original petitioners or any part thereof, designating what part, is not granted for that reason. Upon such judgment no damages shall be allowed for that part of the prayer of the petitioners not granted, but the costs shall be paid by the county ; and this shall apply to proceedings in which any such appeal is now pending.'

Approved March 4, 1891.

Chapter 42.

An Act to amend sections eight and nine of chapter fifty-two of the Revised Statutes, relating to Common Carriers.

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

Sec. 8, ch. 52,
R. S., amended.

SECT. 1. Section eight of chapter fifty-two of the revised statutes relating to common carriers, is hereby amended to read as follows :

Merchandise
unclaimed for
six months,
may be sold to
pay charges.

'SECT. 8. Whenever goods, merchandise, packages, or parcels, transported by any railroad, steamboat, express, or stage company, existing by virtue of the laws of this state, remain unclaimed for six months after its arrival at the point to which it shall have been directed ; or goods, merchandise, or other personal property remain in a public warehouse for six months, after the charges thereon have been rightfully demanded and left unpaid, the same may be sold at auction in the city or town where said railroad, steamboat, express or stage company, has its general or principal office, or where said warehouse is situated ; and whenever goods, merchandise, packages or parcels transported by any railroad, steamboat,

express or stage company, not existing by virtue of the laws of this state, and having no office of president, treasurer, clerk or general superintendent, within this state, but doing business in this state, remain unclaimed for six months after its arrival at the point to which it shall have been directed, the same may be sold at auction, to pay the charges thereon and the expense of advertising and selling.'

SECT. 2. Section nine of said chapter is hereby amended so as to read as follows : Sec. 9, amended.

'SECT. 9. A company existing by virtue of the laws of this state before selling any such articles or merchandise, holding the same, shall give thirty days' notice of the time and place of sale, in four public newspapers, one published at Portland, in the county of Cumberland; one published at Augusta, in the county of Kennebec; one published at Lewiston, in the county of Androscoggin; and one published at Bangor, in the county of Penobscot; said notices shall contain a brief description and list of all such property, and shall describe such marks thereon as may serve to identify them, together with the name of the consignee and the place to which said articles were billed. Any company not existing by virtue of the laws of this state, and having no office of president, treasurer, clerk, or general superintendent, within this state, but doing business within this state, before selling any such articles or merchandise, shall give thirty days' notice of the time and place of sale, by publishing notice in some public newspaper, printed in the county where such merchandise is so held, three weeks successively the last publication to be at least seven days before the day appointed for the sale; if no newspaper is published in the county where such articles or merchandise are so held, such notice shall be published in some newspaper in an adjoining county. Such articles or merchandise shall be sold at the place where held. The proceeds of all goods so sold, after deducting the costs of transportation, storage, advertising and sale, shall be placed to the credit of the owner, in the books of the company making the sale; and shall be paid to him on demand; and such company shall not be liable to said owner of such property for any greater sum than so received from said sale.'

Notice of sale,
how to be given.