

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED JANUARY 25, 1871;

TO WHICH ARE PREFIXED
THE CONSTITUTIONS

OF THE
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN APPENDIX.

BY AUTHORITY OF THE LEGISLATURE.



PORTLAND:
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CHAP. 50. in the place of the company in all respects regarding any insurance effected by them. The company shall be bound by their knowledge of the risks and of all matters connected therewith. Omissions and misdescriptions known to the agent shall be regarded as known by the company, and waived by it the same as if noted in the policy.

pals; and all knowledge by them, same as by the principals.
1870, c. 156,
§ 15.

LIFE POLICIES EXEMPT FROM ATTACHMENT.

How far life policies are exempt from attachment in lifetime of the insured.
1870, c. 156,
§ 20.
See c. 75, § 10.

SEC. 65. All life policies and money due thereon are exempt from attachment and from all claims of creditors during the life of the insured, when the annual cash premium paid does not exceed one hundred and fifty dollars; but when it exceeds that sum, and the premium was paid by the debtor, his creditors have a lien on the policies for such sum over one hundred and fifty dollars per year, as the debtor has paid for two years, subject to any pledge or assignment thereof made in good faith.

LIMIT OF FOREGOING PROVISIONS.

Foregoing provisions do not apply to marine companies having no agents in this state, or prevent citizens from effecting insurance therein.
1870, c. 156,
§ 21.

SEC. 66. The preceding twenty-one sections shall not apply to any foreign marine insurance company having no agent in this state, nor prevent any citizens from effecting insurance in such company either in person or through a licensed broker.

CHAPTER 50.

TOLL BRIDGES.

- SEC. 1.** Military companies may pass over toll bridges free; also others going to or returning from funeral, or worship on sabbath.
2. Persons exempted to give toll gatherer name and place of abode, on request. Forfeiture for refusal or giving false information.
3. Restrictions on weight of teams and droves of cattle and horses.
4. Penalty for delaying passengers.
5. Two persons only and children to pass in a carriage toll free.
6. Penalty for injuring toll gates or attempting to pass without paying toll.
7. Covered toll bridges to be lighted. Penalty for neglect.
8. Surrender of toll bridges to county may be accepted by county commissioners. Party aggrieved may appeal.
9. Owners of toll ferries, and bridges may take land for a toll house.

Who may pass over toll bridges free.
R. S. c. 50, § 1.

SEC. 1. All military companies, with their ordnance and equipage, on days of training or review, while under arms, or in going to or returning from their place of parade, and all persons going to or from any funeral, or public worship on the sabbath, may pass over any toll bridge free of toll.

SEC. 2. Every traveler, claiming to pass any toll bridge free, shall communicate to the toll gatherer his name and place of abode, if required. Whoever refuses or omits so to do, or willfully renders a false answer, and thereby evades the payment of his legal toll, shall forfeit to the use of the proprietors ten dollars to be recovered in an action of debt.

CHAP. 50.

Persons exempted to inform the toll gatherer.
R. S. c. 50, § 2.

SEC. 3. If any person driving neat cattle or horses over any toll bridge more than fifty feet in length from one abutment, pier, or tressel part to another, without the consent of the toll gatherer, or agent of the corporation owning it, permits more than twenty neat cattle or horses to be on such bridge at the same time, or drives or transports over it any loaded cart, wagon or other carriage, the weight whereof exceeds forty-five hundred pounds, exclusive of the team and carriage, and thereby breaks it down or injures it, neither he nor the owner of any property under his charge shall recover any damages against such corporation for his loss or injury.

Restrictions on weight of teams and droves of cattle and horses.
R. S. c. 50, § 3.

SEC. 4. If a bridge corporation, or its agent, unreasonably delays or hinders any person driving any cart, wagon, sleigh or other carriage, from passing any toll gate, the corporation shall forfeit to such person not less than two, nor more than twenty dollars; to be recovered by an action on the case.

Penalty for delaying passengers.
R. S. c. 50, § 4.

SEC. 5. No more than two persons, and children with them not received for the purpose of evading the payment of toll, shall have a right to pass any toll bridge in any carriage free of the toll payable by foot passengers in addition to the toll due on the carriage.

Only two persons and children to pass in carriage toll free.
R. S. c. 50, § 5.

SEC. 6. If any person maliciously breaks down or otherwise destroys or injures any toll gate, or toll bridge, or passes or attempts to pass such gate with intent to avoid the payment of toll, when liable thereto, and it is demanded, he shall forfeit not less than five, nor more than fifty dollars to the use of the proprietors of the bridge, in addition to any actual damage caused by him; but no process shall be maintained to recover such penalty, unless the corporation has complied with the requirements of its charter, and the bridge is in repair, as public safety and interest require.

Penalty for injuring toll gates or attempting to pass without paying toll.
R. S. c. 50, § 6.
28 Me. 300.

SEC. 7. Every toll bridge, if in whole or in part covered, shall be suitably lighted with not less than one sufficient light for every seventy-five feet thereof in length which is covered, commencing within twenty minutes after sunset, and continuing until ten o'clock in each evening; except at the seasons of the year, if any, when toll is not demanded; and for each evening's neglect or refusal to do so, the corporation shall forfeit two dollars, to be recovered by an action of debt, in the county where any part of the bridge is situated, to the use of the person suing therefor; and shall also be liable, in a special action for damages, to any person injured thereby.

Covered toll bridges to be lighted.
Penalty for neglect.
R. S. c. 50, § 7.

CHAP. 51. **SEC. 8.** When a toll bridge corporation offers to the county commissioners of the county or counties where it is established, to surrender its bridge free of cost or incumbrance, and they think it for the public interest and convenience, they shall accept it, and it shall thereafter be the property of such county or counties, and be maintained at their expense; but they shall not so accept a bridge connecting with a way not located and accepted by the town or county where it is situated. Any party aggrieved by the doings of the commissioners, as aforesaid, may have a committee or jury to determine the matter as provided in chapter eighteen.

SEC. 9. Towns, corporations and individuals, owning ferries and bridges authorized to receive toll, may take and use land within the limits of the highway for erecting and maintaining toll-houses, but not to obstruct the public travel.

Owners of toll ferries and bridges may take land for toll-houses. 1862, c. 151. See c. 20.

CHAPTER 51.

RAILROADS.

PETITION.

SEC. 1. Petition, what it must contain.

REAL ESTATE, HOW AND FOR WHAT TAKEN.

- SEC. 2.** Land may be purchased or taken as for public uses; but not dwelling houses, meeting houses, or burying grounds. Guardians may release damages. Person having any interest, deemed owner to that extent.
3. Railroad commissioners to decide as to necessity of land for side track, depots and buildings, and give a certificate thereof, to be recorded.
 4. Location to be made, filed and recorded. When a new location may be made. Remedy for a deviation from prescribed course.
 5. Land not to be used till damages are paid or secured.

ESTIMATION AND PAYMENT OF DAMAGES.

- SEC. 6.** Damages to be estimated by county commissioners within three years, and paid or secured by corporation. If proceedings fail, new ones in one year. How to be secured.
7. Cattle guards and passes to be made and maintained by the road; and on failure, may be compelled, or enjoined, or liable for damages.
 8. Commissioners to report damages and rights of each party; notice to be given to owners; application for increase or decrease of damages; when proceedings are closed; no alteration after that; compensation of commissioners and costs on appeals.
 9. Corporation may deposit amount of damages, interests and costs with the clerk of courts.
 10. Damages remaining unpaid more than thirty days after due, bill in equity may be filed and injunction granted, or owner may pray for an estimate of damages to be ordered by the court.