

MAINE STATE LEGISLATURE

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Sixty-Fifth Legislature.

HOUSE.

No. 115.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-ONE.

AN ACT to amend Section 119 of Chapter 51 of the Revised
Statutes, relating to Railroads.

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

Section 119 of chapter 51 of the Revised Statutes
2 is hereby amended by adding and inserting after the
3 words "matters" in the third line of said section the
4 following: 'or when the managers of the latter road neg-
5 lect or fail or refuse to perform the requirements, pro-
6 visions or conditions of the charter under which they hold
7 and operate their railroad and acts additional and amend-
8 atory thereto;' so that said section as amended shall read
9 as follows :

‘ Section 119. When the managers of a railroad author-
11 ized to cross or connect with another road are unable to
12 agree therewith, as to transportation of passengers and
13 freight over their roads, and upon other matters, or when
14 the managers of the latter road neglect or fail or refuse to
15 perform the requirements, provisions or conditions of the
16 charter under which they hold and operate their railroad
17 and acts additional and amendatory thereto, they may
18 apply to said commissioners in writing, and either of them
19 may indorse an order of notice thereon to all interested,
20 fixing a time and place for hearing; and the applicant
21 shall cause such order to be complied with. At such
22 hearing any corporation or person claiming to be inter-
23 ested, may be made a party and be heard thereon, though
24 not named in the application; said commissioners have
25 the authority of courts of law to summon witnesses, and
26 compel their attendance and testimony, and depositions
27 may be taken and used as in suits at law. When the
28 hearing is closed, they shall determine and award the rates
29 for transporting passengers, freight or cars over the road
30 of each or over any road on which either is a common
31 carrier by contract or otherwise, and all other matters in
32 controversy between the two roads arising from such con-
33 necting, or crossing, or the times of doing so; and may
34 require either party to give security to the other for the
35 payment of balances resulting from their mutual business,
36 on such terms as they deem equitable; and may determine
37 that their award may be suspended, after its acceptance,
38 at the election of the party injured by the non-per-
39 formance of the conditions thereof by the other.’

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 19, 1891. }

Reported by Mr. HILL of Augusta, from Committee on Railroads,
Telegraphs and Expresses, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*