

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Sixty-Sixth Legislature.

HOUSE.

No. 4.

STATE OF MAINE.

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

AN ACT to authorize Common Carriers to sell perishable goods and live stock which they have transported and which the owner or consignee thereof neglects or refuses to receive.

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

SECTION 1. When a common carrier has transported
2 property of a perishable nature, which cannot be kept
3 without great deterioration or substantial destruction, to
4 its place of destination, and has notified the owner or
5 consignee of the arrival of the same, and the owner or
6 consignee, after such notice, has refused or omitted to
7 receive and take away the same and pay the freight and
8 proper charges thereon, said carrier may, in the exercise

9 of a reasonable discretion, sell the same at public or
10 private sale without advertising, and the proceeds, after
11 deducting the amount of said freight and charges and
12 expenses of sale, shall be held for the persons entitled
13 thereto; and if the owner or consignee cannot be found
14 on reasonable inquiry, the sale may be made without such
15 notice.

SECT. 2. When a common carrier has transported live
2 stock which can be kept only at continual expense, to its
3 place of destination, and has notified the owner or con-
4 signee of the arrival of the same, and the owner or
5 consignee after such notice has refused or omitted to
6 receive and take away the same and pay the freight and
7 proper charges thereon, said carrier may cause the same
8 to be sold at auction to pay the freight and charges
9 thereon, including the cost of keeping, and the expenses
10 of advertising and selling; and if the owner or consignee
11 cannot be found on reasonable inquiry, the carrier may
12 cause the same to be advertised and sold as aforesaid
13 without such notice.

Before selling any such live stock, the common carrier
15 holding the same shall give two weeks' notice of the time
16 and place of sale in a newspaper published in the place
17 where said live stock is held, if any; otherwise in a news-
18 paper published at a place nearest thereto. Said notice
19 shall reasonably describe said live stock; and the pro-
20 ceeds of sale, after deducting the amount of freight and
21 charges, including the cost of keeping, and the expenses

22 of advertising and sale, shall be held for the persons
23 entitled thereto.

SECT. 3. All sales under the foregoing provisions,
2 shall be recorded in a suitable book, open to the inspection
3 of claimants, in which the articles sold shall be correctly
4 described, and the charges and expenses thereon, and the
5 price at which they were sold, shall be entered.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES.)
January 20, 1893.)

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

W. S. COTTON, *Clerk.*