

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

HOUSE.

No. 268.

STATE OF MAINE.

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

AN ACT to amend Section sixty-four of Chapter fifty-one
of the Revised Statutes in relation to Railroads.

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

Section sixty-four of Chapter fifty-one of the Revised
2 Statutes is hereby amended by adding thereto the follow-
3 ing :

‘But such corporation shall be entitled to the benefit of
5 any insurance upon such property effected by the owner
6 thereof less the premium and expense of recovery. The
7 insurance shall be deducted from the damages, if recovered
8 before the damages are assessed, or, if not, the policy shall
9 be assigned to such corporation, which may maintain an

10 action thereon, or prosecute, at its own expense, any action
11 already commenced by the insured, in either case with all
12 the rights which the insured originally had,' so that said
13 section as amended shall read as follows :

 'Section 64. When a building or other property is
15 injured by fire communicated by a locomotive engine, the
16 corporation using it is responsible for such injury, and it
17 has an insurable interest in the property along the route,
18 for which it is responsible, and may procure insurance
19 thereon. But such corporation shall be entitled to the
20 benefit of any insurance upon such property effected by
21 the owner thereof less the premium and expense of
22 recovery. The insurance shall be deducted from the
23 damages, if recovered before the damages are assessed,
24 or, if not, the policy shall be assigned to such corporation
25 which may maintain an action thereon, or prosecute, at
26 its own expense, any action already commenced by the
27 insured, in either case with all the rights which the
28 insured originally had.'

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 1, 1895. }

Reported by Mr. WILDES of Skowhegan, from Committee on Railroads, Telegraphs and Expresses, and ordered printed under house rules.†

W. S. COTTON, *Clerk.*