

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1853.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
Feb. 26, 1840, and March 16, 1842.

Augusta:
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1853.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1853.

"four and twenty-one" inserted instead, so that the section as amended, shall read: "Section 14. Any town is hereby authorized and empowered to make all needful provisions and arrangements, concerning habitual truants and children between the ages of four and twenty-one years, not attending school, without any regular and lawful occupation, and growing up in ignorance; and may also make all such ordinances and by-laws respecting such children, as shall be most conducive to their welfare, and the good order of such town; and there shall be annexed to such ordinances, suitable penalties, not exceeding, for any one breach, a fine of twenty dollars; *provided*, that said ordinances and by-laws shall be approved by the court of county commissioners for the county, and shall not be repugnant to the laws of the state.

Habitual truants, provisions for.

SECT. 4. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 30, 1853.]

Chapter 44.

An act concerning the effects of passengers transported by railroad corporations and other common carriers.

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

SECT. 1. Every railroad corporation, and the proprietors of every steam-boat in this state, engaged in the transportation of passengers, shall, in the months of January and July in each year, publish a description list of all trunks, carpet bags, valises, parcels, and passengers' effects whatsoever, which may at any time have been left, and shall on such day remain unclaimed at any passenger station or office, or otherwise in the possession of such corporation, or proprietors, or their agents, the said list to indicate all such specific marks as may serve to identify the same, said publication to be made in one newspaper at least in every county of the state, in which such railroad corporation or steam-boat proprietors may have a passenger station or office.

Unclaimed baggage, advertisement of.

SECT. 2. If, at the expiration of six months after such advertisement as aforesaid, any of the articles so advertised shall still remain unclaimed, then the railroad corporation, or steam-boat proprietors, in whose possession they may be, shall give notice to the mayor or aldermen of the city, or the selectmen of the town, in which respectively such articles may be; and the

—how disposed of.

CHAP. 44.

said mayor and aldermen, or the selectmen, shall cause the said articles to be examined, and may either order them to be sold at public auction, first advertising them in manner and place aforesaid, or may in their discretion order the said articles or any of them to be again advertised, and to remain another six months before being sold.

Proceeds of sale.

SECT. 3. The proceeds of all articles thus sold, after deducting the costs of storage, advertising and other expenses due to the railroad corporation or steam-boat proprietors, aforesaid, and also the cost of the said examination and sale, shall be paid over to the treasurer of the state for the use of the same.

Penalty for neglect to advertise, &c.

SECT. 4. If any such railroad corporation or steam-boat proprietors shall neglect or omit so to advertise and cause to be examined any such passengers' effects left as aforesaid, such corporation and proprietors, respectively, shall be subject to an action for damages on the part of any person aggrieved thereby, and shall also be subject to a penalty of one hundred dollars for each and every case of neglect or omission, to be recovered by process in any competent court, and to enure, one-half to the complainant, and the other half to the county in which the case occurs.

A description list of articles lost may be put in evidence.

SECT. 5. Whenever any action shall be brought by the passenger against any railroad corporation, steam-boat proprietors or other common carriers, to recover damages for any trunk, carpet bag, valise or other parcels missing, lost, damaged or destroyed, or for the contents thereof, and when the plaintiff shall, at the trial of such action, have made proof of the bailment of the said trunk, carpet bag, valise or other parcel to such railroad corporation, steam-boat proprietor or other common carrier, or their agents, and of the subsequent loss, destruction, or damage of the same or of the contents thereof, by the fault of such carrier or of the agents of such carrier, then the plaintiff shall be allowed to put in evidence in the case, a description list, sworn to by him, of so much of the contents of such trunk, carpet bag, valise or other parcel, as may consist of convenient wearing apparel, and other traveling equipage of the party, *provided* that in such case, the defendant in the action may interrogate the plaintiff as to the contents of such trunk, carpet-bag, valise or other parcel, and the value thereof; *and provided further*, that the testimony of the plaintiff, when so received, shall be subject to the same exception of law, in other respects, as that of any other witness.

Proviso.