

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1860.

Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26,
1840, and March 16, 1842.

AUGUSTA:
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1860.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1860.

CHAP. 193.

in the county, may be admitted. For the spring term females shall have the preference for admission, and for the fall term, males.

—terms of instruction.

SECT. 4. Each male student shall be required to pay to the said boards of trustees or agents, for each term of normal instruction, one dollar, and each female student fifty cents upon entering the school, which shall be in full for tuition for said term.

Superintendent of common schools, duty of.

SECT. 5. The superintendent of common schools shall visit each academy during each term of the normal school, and make examination of the course and character of the instruction, and shall make such rules and regulations for the management of the school as he may deem necessary. He may prescribe the course of instruction, and may notify the governor and council of any failure of the academy to fulfill the conditions of this act.

—salary of.

SECT. 6. Instead of the salary now provided by law, the superintendent of common schools shall be entitled to receive one thousand dollars as his salary, from the treasurer of the state, in quarterly payments, on the first day of January, April, July and October, and not exceeding four hundred dollars for expenses.

Trustees or agents to make returns.

SECT. 7. The aforesaid boards of trustees or agents, at the close of each term, shall make full and complete returns to the secretary of state, as required by the blank forms, which shall be prepared by the superintendent of common schools, and furnished by the secretary of state.

Academy failing to comply, governor may designate another.

SECT. 8. If any academy shall fail to accept the provisions of this act, or shall fail to fulfill the provisions of the same, the governor with the advice of the superintendent, may designate some other academy in the county, and it shall be entitled, instead of the academy which has failed to accept or fulfill the conditions of this act, to the said sum of two hundred dollars annually, and be subject to the provisions of this act.

Ch. 11, sec. 67, 68 and 69 R. S. repealed.

SECT. 9. Sections sixty-seven, sixty-eight and sixty-nine of chapter eleven of the revised statutes, are hereby repealed.

SECT. 10. This act shall take effect when approved.

[Approved March 20, 1860.]

Chapter 193.

An act additional to chapter fifty-one of the revised statutes, relating to railroads.

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

Purchasers of franchise of railroad, their powers, rights and liabilities.

SECT. 1. Whenever the franchise and road wholly or partially constructed of any railroad corporation shall be sold by any person having authority to make such sale under any decree of court a

valid power of sale in a deed of mortgage of such franchise or road, or upon execution, the purchasers of such franchise and road having obtained legal title thereto, shall have, succeed to and possess all the powers, privileges and immunities, and be subject to all the liabilities and obligations of the stockholders of such corporation under the charter thereof, and may by a vote of the majority in interest of their number form a new corporation with a new name under such charter. But such new corporation shall not be liable for any indebtedness of such original corporation, unless such sale and purchase be made subject to such indebtedness; or such indebtedness be secured by a pledge, lien or mortgage having priority to the right of the person by whom such sale was made, or in whose behalf ordered and decreed. The first meeting of the new corporation may be called in the same manner as was authorized for calling the first meeting of the original corporation; the original corporation shall continue in existence for the purpose of collecting and paying its debts, and bringing its unsettled matters to a close. The sale of such franchise shall not impair the rights of recovery against such original corporation, or its stockholders, which any person may have, either on contract or other cause of action.

New corporation may be formed.

—its liabilities.

—first meeting, how called.

Original corporation to continue for certain purposes.

SECT. 2. When by virtue of the power of sale in the mortgage deed under which such sale may take place, or by the decree of the court ordering such sale, or by the laws of the state, the original corporation, or any person or corporation claiming under it has a right to redeem from such sale, the person or corporation having such right, shall be entitled to redeem in the manner provided in sections thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen and twenty of chapter ninety of the revised statutes. But the party redeeming from such sale shall pay in addition to the amount of the sale and interest thereon, all such reasonable expenditures as shall have been made by such new corporation in completing, repairing and equipping said railroad and in purchases of property necessary therefor, deducting therefrom the net income of said railroad during the time it may be in the possession of such new corporation.

Right to redeem.

Party redeeming, to pay for improvements.

SECT. 3. The preceding section shall apply to any person or corporation seeking to redeem a railroad, when in possession of the trustees for breach of the condition in the deed of trust to said trustees.

Applicable to railroads in hands of trustees.

SECT. 4. This act shall take effect when approved.

[Approved March 20, 1860.]