

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1864.

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

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1864.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1864.

the legislature have enacted or shall enact concerning the management of railroads.

SECT. 6. The supreme judicial court shall hear and determine all questions relating to the condition and management of railroads in this state having reference to the safety and security of persons transported thereon, as a court of equity; *provided* that in all cases of alleged breach of contract expressed or implied, or of alleged violation of rights or neglect of duties imposed by charter, either party shall be entitled to a jury to determine the facts and assess the damages, and in such cases no process in equity shall be maintained.

S. J. C. to act as court of equity in determining questions relating to condition of railroads. Proviso.

SECT. 7. The examination of railroads now required by law to be made by railroad commissioners, shall be made between the first of April and the last of October in each year, at such times as the commissioners shall appoint.

Examination of railroads, when to be made.

SECT. 8. This act shall take effect on and after its approval by the governor.

Approved March 16, 1864.

Chapter 239.

An act to restrain illegal appropriation of public money.

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

SECT. 1. When any county, city, town or school district votes to pledge its credit, or to raise by taxation, or to pay from its treasury, any money, for any purpose other than those for which it has the legal right and power, or any agent or officer thereof attempts to pay out the money of such county, city, town or school district without authority, the supreme judicial court may, upon the suit or petition of not less than ten taxable inhabitants thereof, briefly setting forth the cause of complaint, hear and determine the same in equity. Any justice of said court may in term time or vacation, issue injunctions and make such orders and decrees as may be necessary or proper to restrain or prevent any violation or abuse of such legal right or power until the final determination of the cause by said court.

Illegal appropriation of money, S. J. C. may determine same in equity.

One justice may issue injunctions, &c.

SECT. 2. When any officer or agent of any city or town shall pay from the public money intrusted to him, any order given for commutation or any claim of any person for money paid as commutation, the city or town may recover the amount in an action of debt, from such officer or agent, or from the person to whom he shall pay such money, and if the judgment against one shall not be paid, a subsequent suit may be maintained against the other.

Money paid by officer or agent for commutation, &c.

—how recovered.

CHAP. 240. SECT. 3. This act shall take effect on its approval by the governor.

Approved March 16, 1864.

Chapter 240.

An act establishing the weight of certain agricultural products.

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

Standard weight established.

SECT. 1. The standard weight of a bushel of onions in good order and fit for shipping, shall be fifty-two pounds ; of ruta-baga, sugar beets, mangel wurzel and turnip beet in like condition, sixty pounds ; of English turnip in like condition, fifty pounds ; of beans, sixty-four pounds ; of peas, sixty pounds.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 17, 1864.

Chapter 241.

An act to facilitate the detection and to prevent the circulation of counterfeit bank bills.

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

Counterfeit bank bills, how disposed of.

SECT. 1. Any and every bank now established or which may be established under the authority of this state or of the United States, which shall receive in payment, or upon deposit, or for redemption from any other bank, or from any person or persons, any counterfeit bank bill, shall and may write or stamp upon such bank bill the word, *counterfeit*, adding thereto or thereunder the name of the bank, and the initials of its officer by which such writing or stamp shall be made.

Altered bank note or bill, how disposed of.

SECT. 2. Any bank note or bill which may have been altered from its original denomination or amount, to some other, may in like manner be stamped with the word, *altered*, in such manner as to give notice of such alteration.

If mistake be made in writing, &c., on note or bill.

SECT. 3. If any bank or its officers shall by mistake or inadvertence, make any such writing or stamp upon a bank note or bill which is not, in fact, a counterfeit or altered bill, such bank shall not be answerable for a greater sum than the damages actually sustained by the party then holding such note or bill, and in no

—damages not to exceed amount of note or bill.