

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)

ACTS AND RESOLVES

OF THE

FORTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1868.

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

AUGUSTA:
OWEN & NASH, PRINTERS TO THE STATE.
1868.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1868.

CHAP. 186.

Chapter 186.

An act additional to chapter fifty-one of the revised statutes relating to the satisfaction of judgments against railroad corporations in certain cases.

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

Rolling stock of railroads may be seized and sold on certain executions.

SECT. 1. Whenever any railroad corporation running cars and engines over its road in this state and doing any damage to the property of individuals along the line of such road for want of sufficient fences, or by setting fires from its engines, or in any other manner for which such railroad corporation shall be held liable by law and for which judgment shall be recovered in any of the courts of this state and execution issued upon such judgment, shall remain unsatisfied for the space of ninety days after a written demand upon its superintendent or treasurer, the rolling stock or any part thereof used or worked upon such railroad, whether owned by the corporation owning said railroad or by other parties in whole or in part, shall be holden to satisfy such judgment, and such rolling stock or any part thereof sufficient may be seized upon any execution issuing upon such judgment, and sold to satisfy the same, observing the requirements of law for the sale of personal property in other cases.

SECT. 2. This act shall take effect when approved.

Approved February 29, 1868.

Chapter 187.

An act to amend chapter one hundred and twenty-seven of the public laws of eighteen hundred and sixty-seven, relating to inspection and sale of petroleum, coal oils and burning fluids.

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

Public laws of 1867, chap. 127, sect. 1, amended.

SECT. 1. Section one of chapter one hundred twenty-seven, entitled "an act to provide for the inspection of petroleum and coal oils and burning fluids, and to regulate the manufacture and sale thereof," approved March first, eighteen hundred sixty-seven, is hereby amended in the fourth line, after the word "persons," by inserting 'and fix their compensation.' Said section is also amended in the eighth line, after the word "with," by inserting 'G. Tagliabue's pyrometer or some other,' so that as amended the clause shall read :—' In every city and town in this state containing two thousand inhabitants or more, the mayor and aldermen, or the selectmen, shall, on or before the first of May, annually, appoint one or more persons, and fix their compensation, to be

Inspectors of petroleum, &c., to be appointed in towns of 2,000 inhabitants or more.

‘inspectors of petroleum and coal oil and burning fluid, who shall be sworn to the faithful discharge of their duty, and it shall be their duty, when requested, to inspect such oils and burning fluids by applying the fire test with G. Tagliabue’s pyrometer or some other accurate instrument, to ascertain the igniting or explosive point thereof in degrees of Fahrenheit’s thermometer, and they shall cause every vessel or cask thereof by them so inspected to be plainly marked by the name of such inspector, the date of inspection, and the igniting or explosive point of the contents thereof.’

Duty of inspectors.

SECT. 2. Section four of said act is hereby amended in the fourth line by striking out the words “or elsewhere,” so that the section will read: ‘No person shall sell any such oil or burning fluid without first causing each cask or vessel of the same to be duly inspected and marked as aforesaid, unless it has already been so inspected and marked in this state; and if any person shall sell such oil or burning fluid that has not been so inspected and marked, or that has been so inspected and has been marked as unsafe for illuminating purposes, he shall be punished by a fine of not exceeding five hundred dollars, or by imprisonment in the county jail six months.’

Public laws of 1867, chap. 127, sect. 4, amended.

Penalty for making sale without inspection and marking.

SECT. 3. This act shall take effect when approved.

Approved February 29, 1868.

Chapter 188.

An act additional to chapter sixty-four of the revised statutes, and relating to the bonds of executors.

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

SECT. 1. When it is expressly provided in the will of a testator that no bond shall be required of an executor, or that the bond shall be in a specified sum, letters testamentary may issue, and sales of real estate, under the provisions of the will, be made and confirmed, without any bond having been given, or with the bond in the specified sum, as the case may be; but such an executor may at any time, whenever it may be shown from any cause to be necessary or proper, be required to appear and file a bond as in other cases.

Executor not required to give bond in certain cases.

SECT. 2. This act shall take effect when approved.

Approved February 29, 1868.