

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1872.

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

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1872.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1872.

Chapter 38.**CHAP. 38.**

An act to amend chapter sixty-six, section four of the revised statutes relating to commissioners of insolvent estates.

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

SECT. 1. Section four of chapter sixty-six of the revised statutes is hereby amended by adding the following, to wit: 'If any one or more of the commissioners shall die after the expiration of the eighteen months and before the commission is returned, the judge of probate may appoint new commissioners and allow an additional time not exceeding three months for the presentation of claims.'

R. S., chap. 60, sect. 4, relating to meetings of commissioners of insolvent estates and time allowed to prove claims, amended.

SECT. 2. Section twenty of chapter sixty-six of the revised statutes is hereby amended by adding the following words, to wit: 'The rents and profits of the real estate belonging to any insolvent estate, and all damages recovered for waste or trespass committed thereon, shall be considered and treated as a part of the estate for the payment of debts.'

R. S., chap. 66, sect. 20, relating to waste or trespass on real estate of insolvent estate, amended.

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

Approved February 27, 1872.

Chapter 39.

An act to fix the salary of the treasurer of state.

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

The salary of the treasurer of state shall be two thousand dollars, commencing January first, eighteen hundred and seventy-two, instead of the sum now fixed by law, to be drawn quarterly as now provided.

Salary of state treasurer.

Approved February 27, 1872.

Chapter 40.

An act to amend section sixteen of chapter fifty-one of the revised statutes, relating to railroad crossings.

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

Section sixteen of chapter fifty-one of the revised statutes is amended to read as follows :

'SECT. 16. A railroad may be carried over or under a canal or railroad in such manner as not unnecessarily to impede the travel

R. S., chap. 51, sect. 16, relating to the crossing of a railroad or canal by a railroad, amended.

CHAP. 41.

Repair of bridges
and abutments
for crossings.

or transportation of them. The corporation making such crossing is liable for damages occasioned by it in an action on the case. Bridges and their abutments constructed for a crossing of any way, are to be kept in repair by the corporation, or persons or parties running trains on any railroad crossing a highway or town way. The municipal officers of any city or town may give notice in writing to such persons, parties or corporations that a bridge required at such crossing has not been erected, or is out of repair and not safe and convenient, within the requirements of section forty, chapter eighteen of the revised statutes, or that the crossing of any such highway or town way passing such railroad at grade within their respective cities or towns is not made or maintained safe and convenient as required by section forty aforesaid; and it shall be the duty of such persons, parties or corporations to erect or repair such bridge, or make such crossing safe and convenient as aforesaid, within ten days from the service of said notice; and if they neglect so to do, any one of said municipal officers may apply to any justice of the supreme judicial court, in term time or vacation, to compel such persons, parties or corporations to erect or repair such bridge or make such crossing as aforesaid; and after hearing, such justice or court may make any order thereon the public convenience and safety may require, and compel the respondents to comply therewith by injunction.'

Approved February 27, 1872.

Chapter 41.

An act additional to chapter ninety of the revised statutes in relation to the redemption of mortgages of real estate.

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

R. S., chap. 90,
sect. 16, relating
to redemption of
real estate where
mortgagee is out
of the state,
amended.

The provisions of section sixteen of chapter ninety of the revised statutes shall apply to cases where the mortgagee, or person claiming under him has commenced proceedings for foreclosure, under the third section of same chapter, when it appears that there is no tenant, agent or attorney in possession upon whom service can be made.

Approved February 27, 1872.