

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1875.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1875.

CHAP. 17.**Chapter 17.**

An act relating to fencing railroads.

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

Line fences, railroad companies required to build on notice.

SECT. 1. The owner of any inclosed or improved land or wood lot belonging to a farm abutting upon any railroad which is finished and in operation, may at any time from the twentieth of April to the end of October in each year, give written notice to the president, treasurer, or to either of the directors of the corporation owning, controlling or operating such railroad, when such is the fact, that the line fence against his said land has not been built, or if built, that the same is defective and needs repair. And if, after receiving such notice, said corporation shall neglect to build such fence or to repair it, as the case may be, for a period of thirty days, it shall forfeit to such owner the sum of one hundred dollars, the same to be recovered in an action on the case.

Penalty for neglect.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall be in force on and after its approval by the governor.

Approved February 18, 1875.

Chapter 18.

An act to provide for the appointment of deputy town treasurers.

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

Deputy town treasurers.

SECT. 1. The treasurer of any town or plantation may appoint a citizen of his town or plantation to act as his deputy during his temporary absence or other temporary disability. The appointment shall be in writing and be a matter of record. It may be in the form following :

Term of appointment.

'I, _____ hereby appoint _____ to perform the duties of town treasurer of the town of _____ during the treasurer's temporary absence from his office.

_____, Treasurer.'

Treasurer responsible.

SECT. 2. The treasurer and the sureties upon his official bond, shall be responsible for all the acts and omissions of his deputy in such office.

In case of vacancy, municipal officers may appoint treasurer.

SECT. 3. In case of the death, resignation, removal or other permanent disability of a treasurer of a town or plantation, the municipal officers may appoint a citizen of such town or plantation to be treasurer until his successor shall be elected and qualified.

Such appointment shall be in writing and made a matter of record. CHAP. 19.
It may be in the form following:

'We, the municipal officers of the town of _____, hereby appoint _____ to be treasurer of said town until his successor shall be elected and qualified.'

Form of appointment.

SECT. 4. Before such appointee shall enter upon his duties he shall be duly sworn, and shall give bond to the town for the faithful performance of the duties of his office in such sum and with such sureties as the municipal officers shall order.

Treasurer appointed, to be sworn and give bond.

Approved February 18, 1865.

Chapter 19.

An act additional to chapter two hundred and fifty-eight of the public laws of eighteen hundred and seventy-four, relating to taxation of railroad companies.

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

SECT. 1. The governor and council are hereby authorized to abate any tax, or any part of a tax, assessed under chapter two hundred and fifty-eight of the public laws of eighteen hundred and seventy-four, upon any railroad company incorporated under the laws of this state, or doing business therein, when it shall appear to their satisfaction, by any decision of the supreme judicial court of this state, or of the supreme court of the United States, to be hereafter made, that the tax so assessed, or any part thereof, is illegally imposed.

Railroad tax, governor and council may abate.

SECT. 2. If any tax illegally imposed as aforesaid, shall have been paid, the same shall be repaid with interest, and the governor, with the advice of the council, may draw a warrant for the amount of the same, in favor of the corporation entitled thereto, payable out of any money in the treasury not otherwise appropriated.

Illegal taxes paid shall be repaid.

SECT. 3. If any tax assessed as aforesaid, upon a valuation determined by the first two sections of the act to which this is additional, shall, in the opinion of the governor and council, be excessive through any circumstantial error or mistake, or by excessive valuation, the excess may be abated by the governor and council within one year from the assessment thereof, and the amount so abated shall be deducted from any unpaid tax due from the corporation assessed; and if there shall be no unpaid tax, the governor, with the advice of the council, shall draw his warrant for the amount of the abatement, to be paid from any money in the treasury not otherwise appropriated; and when any like error

Excessive taxes may be abated.

Abatement, how refunded.