

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1880.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1880.

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OF THE
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1880.

as on a verdict returned as aforesaid. The clerk of said court shall certify such verdict or report, as the case may be, with the final adjudication of the court thereon, to the commissioners at their next meeting after such adjudication, who shall record the same; and if the jury shall not have agreed on a verdict, or the verdict or report been set aside by the court to which it was returned, or upon exceptions, the commissioners, on application therefor, shall order a new jury, or the parties may agree upon a new committee; and thereupon like proceedings shall be had as are herein provided. The party prevailing shall recover costs, to be taxed and allowed by the court to which the verdict or report is returned and certified with it to the commissioners; except that the costs shall not be recovered by the party claiming damages, but by the other party, if upon appeal taken as provided in this chapter, by either party, said claimant shall fail to recover and have adjudged to him, a greater sum as damages than was allowed to him by the commissioners; and said court shall determine the compensation of the committee, and of the persons presiding at the trial by jury.

CHAP. 243

Clerk of courts to certify verdict or report with adjudication.

Proceedings when no verdict is rendered.

Costs, how adjusted.

Court to fix compensation.

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

Approved March 18, 1880.

Chapter 243.

An act to amend chapter ninety-one of the Revised Statutes relating to Liens on Vessels.

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

SECT. 1. Section ten of chapter ninety-one of the revised statutes, is hereby amended by adding thereto the words: 'and whenever a vessel shall have been attached as aforesaid, and the expense of retaining possession of said vessel shall be great, or the vessel shall be liable to depreciate in value by reason thereof, any attaching creditor, or an owner of said vessel may in term time or vacation, petition a justice of the supreme judicial court, praying that said vessel attached as aforesaid, may be sold, and said justice may order a hearing on said petition; and due notice shall be given to all parties

Sec. 10, ch. 91, R. S., amended.

Proceedings for the sale of attached vessels liable to depreciate in value.

CHAP. 244 in interest of the time and place appointed for said hearing, and a hearing on said petition shall be had before a justice of said court; and if it shall then appear to said justice to be for the benefit of all parties in interest that said vessel should be sold, said justice shall issue to the officer in possession of said vessel, or to the sheriff of the county in which said vessel has been attached, an order to sell said vessel at public auction, and said justice shall designate in said order the notice to be given of the time and place of said sale; and said vessel shall be sold pursuant to said order, and the proceeds of said sale, after deducting necessary expenses, shall be held by the first attaching officer or the sheriff, subject to the successive attachments, as if sold on execution; *provided, however*, that if said parties do not consent to a sale as herein provided, the provisions of sections twenty-nine to thirty-eight, inclusive, of chapter eighty-one of the revised statutes, so far as the same are applicable, shall apply to proceedings under this act.

Proviso.

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

Approved March 18, 1880.

Chapter 244.

An act to tax Express Corporations, Companies, or Persons carrying on Express business in this State.

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

Companies and persons doing express business to apply for license annually and pay tax.

SECT. 1. Every express corporation, company or person doing express business on any railroad, steamboat or vessel in this state, shall annually before the first day of May, apply to the state treasurer for a license authorizing the carrying on of said express business; and every such corporation, company or person shall annually pay to the state treasurer, on or before the first day of May, three-fourths of one per cent. of the gross receipts of said business for the year ending on the first day of April preceding. Said three-fourths of one per cent. shall be on all of said express business done in this state, including a pro rata part on all express business coming from other states or countries into this state, and on all going from this state to other states or countries; *provided*,

Proviso.