

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SIXTIETH LEGISLATURE

OF THE
STATE OF MAINE.

1881.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA :
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1881.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1881.

CHAP. 51. visions of this act, to be recovered by and for the use of the city or town where the building is located, in an action on the case or by indictment.

Approved March 9, 1881.

Chapter 51.

An act additional to chapter fifty-one of the Revised Statutes, and to other acts relating to the transportation of passengers and freight by railroad.

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

Sects. 76 and 77, ch. 51, R. S., and ch. 94, public laws 1879, to apply to all railroads.

SECT. 1. Sections seventy-six and seventy-seven of chapter fifty-one of the revised statutes of this state, and chapter ninety-four of the acts of eighteen hundred and seventy-nine, and all other chapters and acts relating to the transportation of passengers and freight by railroad, shall apply to, and may be taken advantage of, by any railroad in this state, whether it makes close connection with other railroads or not; and the railroad commissioners shall have the same authority and power as in cases where the railroads make a close and direct connection; and no railroad doing business within this state shall demand or receive of any other railroad doing business within the same, whether making direct connection or not, or from passengers over the same, or from freight forwarded over the same, higher rates of fare or of freight than it demands or receives of any other railroad within the state.

Equal advantages to be given to all railroads.

SECT. 2. No re-bate, drawback, allowance or other advantage shall be made or extended by any railroad in favor of another railroad doing business over the same, by which the operation of the foregoing section shall be changed or affected, or by which one railroad doing business over the same, shall receive any greater advantage than any other railroad doing business over the same, shall receive.

Penalty for violation.

SECT. 3. Any railroad company chartered under the laws of this state, which shall refuse to receive, transport or deliver any freight, merchandise or passengers according to the provisions of this act, and under the terms thereof, or which shall demand or receive from any other railroad in this state, for the transportation of its passengers or freight, any sum in excess or violation of said provisions, shall, for

each offense, forfeit and pay any corporation injured, the sum of one hundred dollars, to be recovered by an action on the case in any county in which any of the parties in such action has a residence or place of business. CHAP. 52.

Approved March 12, 1881.

Chapter 52.

An act in relation to suits on Administrator's and Executor's Bonds.

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

No action shall hereafter be commenced or maintained against any surety or sureties on any administrator's or executor's bond, unless the same shall have been commenced within six years after said administrator or executor shall have been cited to appear to settle his account in the probate court where administration is granted on said estate, or if not so cited within six years from the time of the breach of the bond, unless such breach is fraudulently concealed by the administrator or executor, from the heirs, legatees or persons pecuniarily interested, who are parties to the suit, and in such case within three years from the time such breach is discovered.

Action on administrator's or executor's bond limited to six years.

Approved March 12, 1881.

Chapter 53.

An act additional to chapter eighteen of the Revised Statutes, relating to damages for land taken for highways.

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

'If damages shall be sustained by any person in their property, by laying out, altering or discontinuing a highway or town way, the commissioners or municipal officers of towns shall estimate the amount, and in their return state the share of each separately ; but they shall not order such damages to be paid, nor shall a person claiming damage have a

Damages for location of highways, how estimated and when paid.