

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1883.

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

AUGUSTA :
SPRAGUE & SON, PRINTERS TO THE STATE.
1883.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1883.

said assessments shall create a lien upon said lands for the whole amount thereof, as effectually as is now provided in relation to repairs on such county roads. CHAP. 166

SECT. 2. That portion of said assessment which is for repairs of sudden injuries, as herein provided, shall be set down, in the assessment, in distinct items, in a separate column or columns, and shall not be discharged, under the provisions of section fifty-four of chapter six of the revised statutes, but shall be enforced, as is provided in relation to such assessments for repairs, when owners fail to make repairs. Assessments to be itemized.
—enforcement of.

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

Approved March 6, 1883.

Chapter 166.

An Act amendatory of and additional to chapter fifty-one of the Revised Statutes, in relation to railroads.

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

SECT. 1. Section sixty-seven of chapter fifty-one of the revised statutes, is hereby amended by inserting after the word "road," in the first line thereof, the words, 'or right of redeeming the franchise of a railroad, and its road from a mortgage thereof,' so that the first clause of said section shall read as follows : Sec. 67, ch. 51, R. S., as amended.

'SECT. 67. When the franchise of a railroad and its road, or the right of redeeming the franchise of a railroad and its road from a mortgage thereof, wholly or partly constructed, are sold by a decree of court, by a power of sale in a mortgage thereof, or on execution, the purchasers have all the rights, powers and obligations of the corporation, under its charter, and may form a new corporation in the manner hereinbefore provided.' When railroad and franchise or right of redeeming, are sold, purchaser to have rights of original corporation.

SECT. 2. Any corporation, formed under the provisions of chapter fifty-one of the revised statutes, and acts additional thereto, by the holders of railroad bonds, are empowered to acquire by purchase the right of redemption, under the mortgage securing such bonds. Corporations formed by holders of railroad bonds, empowered to purchase right of redemption.

CHAP. 167

Provisions of ch. 53, public laws 1878, to apply, where no interest has been paid for more than three years.

Holders of scrip and bonds due and unpaid, may commence suit for foreclosure of mortgage.

SECT. 3. The provisions of chapter fifty-three of the laws of eighteen hundred and seventy-eight, shall apply to cases in which no interest has been paid for more than three years, as well as to cases in which the principal has been overdue for more than three years, as therein provided.

SECT. 4. Whenever the principal of any scrip or bonds issued by a railroad corporation shall have been due and payable more than three years, or no interest has been paid thereon for more than three years, a corporation formed by the holders of such scrip or bonds, or if no such corporation has been formed, the holders of not less than a majority of such scrip or bonds, may commence a suit in equity for the purpose of foreclosing such mortgage; and the court may decree a foreclosure of such mortgage, unless the arrearages are paid within such time as the court may order.

SECT. 5. This act shall take effect when approved.

Approved March 6, 1883.

Chapter 167.

An Act relating to the laying out of ways across railroads.

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

R. R. commissioners to determine when ways across lands of railroad companies may be laid out.

SECT. 1. No way shall be laid out through or across any land or right of way of any railroad corporation, used for station purposes, unless after notice and hearing the railroad commissioners adjudge that public convenience and necessity requires it.

Manner and conditions of crossing, how determined.

SECT. 2. When any way is laid out across a railroad, the railroad commissioners, upon application of the parties owning or operating such railroad, shall, upon notice and hearing, determine the manner and conditions of crossing such railroad, subject to the same rights of appeal provided by chapter forty-three of the public laws of eighteen hundred and seventy-eight.

Adjudications of commissioners to be recorded.

SECT. 3. All adjudications of the railroad commissioners relating to ways shall be recorded in the office in which the location of the way is by law to be recorded.

SECT. 4. This act shall take effect when approved.

Approved March 7, 1883.