

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1891.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1891.

CHAP. 119**Chapter 119.**

An Act relating to the assessment of the County Taxes in the several counties for the year eighteen hundred and ninety-one.

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

County tax for 1891, assessment of.

SECT. 1. The county tax for the year eighteen hundred and ninety-one shall be assessed during the month of April, upon the state valuation, adopted and fixed by the legislature in the year eighteen hundred and ninety-one. All county taxes assessed or that may be assessed in the year eighteen hundred and ninety-one, upon any other valuation, are hereby declared void.

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

Approved March 30, 1891.

Chapter 120.

An Act to amend section one hundred and twenty-six of chapter fifty-one of the Revised Statutes, as amended by chapter three hundred and twenty-one of Public Laws of eighteen hundred and eighty-five, relating to Accidents on Railroads.

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

Sec. 126, ch. 51, R. S., and ch. 321, laws of 1885, repealed.

SECT. 1. Section one hundred twenty-six of chapter fifty-one of the revised statutes, and chapter three hundred twenty-one of the laws of eighteen hundred eighty-five, amending the same, are hereby repealed.

R. R. commissioners shall be notified immediately, whenever a serious accident occurs.

SECT. 2. Whenever a serious accident occurs within the state to any passenger or freight train on any railroad, whether any person be fatally injured or otherwise, notice thereof shall be given immediately by telegraph, if practicable, otherwise in writing, by the officers of the company operating the railroad on which the accident occurred, to the railroad commissioners.

If public interests require it, commissioners shall make investigation.

SECT. 3. In the event of any such accident, the railroad commissioners, or the chairman thereof, shall, if they or he deem the public interests require it, cause an investigation to be made forthwith by the board, which investigation shall be held in the locality of the accident, unless, for reasons touching the convenience of all concerned, the commissioners shall order it to be commenced at some other place; but in

either case, the investigation may be adjourned to some other suitable and convenient place. The board or the chairman thereof, shall seasonably notify the officers of the company, and also, if the accident shall have resulted fatally to one or more persons, the county attorney of the county where the accident occurred, of the time and place of the investigation. The board shall have power to issue subpoenas for witnesses, and the testimony of each witness shall be taken before a sworn stenographer and written out in full and signed by the witness either at the time of the investigation, or as soon thereafter as practicable. Prefixed to his signature shall be a statement that the deposition has been carefully read by the witness, or carefully read to him, before signing. Immediately after the investigation the board shall make a special report, stating what it finds to be the cause of the accident, transmit copies thereof to such county attorney, and the railroad corporation concerned, and publish the same in its annual report. The taxable costs of the investigation shall be made up and certified to the governor and council by the board, and the same shall be paid by the state. Witnesses in all such cases shall be allowed the same fees as in the supreme judicial court.

—shall make special report.

—costs, how paid.

SECT. 4. Whenever, in consequence of any such accident having resulted fatally to one or more persons, notice shall have been given by the board or the chairman thereof to the county attorney of its intention to investigate as herein provided, the authority of all coroners over the case shall cease; and thereafter, no coroner nor any jury summoned by him, shall proceed further with reference thereto.

When accident results fatally, notice shall be given county attorney, of intention to investigate, and authority of all coroners shall cease.

SECT. 5. Any corporation, or person interested in the subject matter of the investigation, may be present and heard at the same, either in person or by counsel, and with witnesses and other proofs; and shall be entitled to the aid of the board in securing the attendance of witnesses, the fees of such witnesses, nevertheless, to be paid by the corporation or person securing their attendance, except so far as the board shall find that justice requires that the same shall be paid by the state; and such corporation or person shall be entitled to a copy of the whole or any portion of the proceedings or report of the board, and of the evidence taken by it, on paying the reasonable cost of making the same.

Corporation or person interested, may be heard, with witnesses and other proofs.

—fees, how paid.