

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

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

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1893.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1893.

Chapter 142.

An Act to authorize Common Carriers to sell perishable goods and live stock which they have transported, and which the owner or consignee thereof neglects or refuses to receive.

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

SECT. 1. When a common carrier has transported property of a perishable nature, which cannot be kept without great deterioration or substantial destruction, to its place of destination, and has notified the owner or consignee of the arrival of the same, and the owner or consignee, after such notice, has refused or omitted to receive and take away the same and pay the freight and proper charges thereon, said carrier may, in the exercise of a reasonable discretion, sell the same at public or private sale without advertising, and the proceeds, after deducting the amount of said freight and charges and expenses of sale, shall be held for the persons entitled thereto; and if the owner or consignee cannot be found on reasonable inquiry, the sale may be made without such notice.

Common carriers, authorized to sell perishable goods and live stock which owner neglects or refuses to receive.

SECT. 2. When a common carrier has transported live stock which can be kept only at continual expense, to its

May sell at auction after owner has been

CHAP. 143

notified and
refused to take
away.

—proceedings,
when owner or
consignee
cannot be found.

—notice of sale,
how given.

All sales shall be
recorded.

place of destination, and has notified the owner or consignee of the arrival of the same, and the owner or consignee after such notice has refused or omitted to receive and take away the same and pay the freight and proper charges thereon, said carrier may cause the same to be sold at auction to pay the freight and charges thereon, including the cost of keeping, and the expenses of advertising and selling; and if the owner or consignee cannot be found on reasonable inquiry, the carrier may cause the same to be advertised and sold as aforesaid without such notice. Before selling any such live stock, the common carrier holding the same shall give two weeks' notice of the time and place of sale in a newspaper published in the place where said live stock is held, if any; otherwise in a newspaper published at a place nearest thereto. Said notice shall reasonably describe said live stock; and the proceeds of sale, after deducting the amount of freight and charges, including the cost of keeping, and the expenses of advertising and sale, shall be held for the persons entitled thereto.

SECT. 3. All sales under the foregoing provisions, shall be recorded in a suitable book, open to the inspection of claimants, in which the articles sold shall be correctly described, and the charges and expenses thereon, and the price at which they were sold, shall be entered.

Approved February 2, 1893.

Chapter 143.

An Act to amend chapter seventy-one of the Revised Statutes, relating to sales of real estate by license of court.

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

Sec. 5, ch. 71,
R. S., repealed.

SECT. 1. Section five of chapter seventy-one of the revised statutes, is hereby repealed.

Sec. 2, amended.

SECT. 2. Section thirty-one of said chapter is hereby amended, so as to read as follows:

Requisites for
valid sale, as
against persons
claiming under
deceased or
ward.

SECT. 31. In an action brought to contest the validity of any such sale, by the heir or others claiming under the deceased; the wife or her heirs, in case of a sale of her estate