

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

CHAP. 82

and the gross receipts in the state shall be taken to be the average gross receipts per mile, multiplied by the number of miles operated within the state.'

Approved March 16, 1909.

Chapter 82.

An Act relating to the taxation of Street Railroads.

Be it enacted by the People of the State of Maine, as follows:

Section 31,
chapter 8,
R. S.,
amended.

Section thirty-one of chapter eight of the revised statutes is hereby amended by striking out the words "three-twentieths" in the fifth line thereof and substituting therefor the words 'one-fourth,' and by striking out the words "three-twentieths" in the seventh line thereof and substituting therefor the words 'one-fourth,' and by adding to said section the following words, 'provided that the rate shall in no case exceed four per cent,' so that said section as amended shall read as follows:

Taxation
of street
railroad cor-
porations.

'Section 31. Street railroad corporations and associations are subject to the eight preceding sections and to section four of chapter nine, except that the annual excise tax shall be ascertained as follows: When the gross average receipts per mile do not exceed one thousand dollars the tax shall be equal to one-fourth of one per cent on the gross transportation receipts; and for each thousand dollars additional gross receipts per mile, or fractional part thereof, the rate shall be increased one-fourth of one per cent, provided that the rate shall in no case exceed four per cent.

Approved March 16, 1909.

Chapter 83.

An Act to amend Section six of Chapter one hundred six of the Revised Statutes, relating to Real Actions.

Be it enacted by the People of the State of Maine, as follows:

Section 6,
chapter 106,
R. S.,
amended.

Section six of chapter one hundred six of the revised statutes is hereby amended by striking out in the sixth and seventh lines the words "unless by leave of court the time therefor is enlarged" and inserting instead thereof the words 'but by leave of court the time therefor may be enlarged, or permission to file such disclaimer may afterwards be granted by the court,' so that said section as amended shall read as follows:

CHAP. 84

'Section 6. Every person alleged to be in possession of the premises demanded in such writ, claiming any freehold therein, may be considered a disseizor for the purpose of trying the right; but the defendant may plead in abatement, but not in bar, that he is not tenant of the freehold, or he may plead it by a brief statement under the general issue, filed within the time allowed for pleas in abatement; but by leave of court the time therefor may be enlarged, or permission to file such disclaimer may afterwards be granted by the court; and he may show that he was not in possession of the premises when the action was commenced, and disclaim any right, title or interest therein, and proof of such fact shall defeat the action; and if he claimed, or was in possession of only a part of the premises when the action was commenced, he shall describe such part in a statement signed by him or his attorney and filed in the case, and may disclaim the residue; and if the facts contained in such statement are proved on trial, the demandant shall recover judgment for no more than such part.'

Who may be considered a disseizor; disclaimer in abatement, but not in bar.

Approved March 16, 1909.

Chapter 84.

An Act to amend Section ten of Chapter fifty-seven of the Revised Statutes of Maine nineteen hundred and three, relating to the establishment and support of Free Public Libraries.

Be it enacted by the People of the State of Maine, as follows:

Section ten of chapter fifty-seven of the revised statutes of this state is hereby amended by striking out from the sixth line thereof the word "one dollar," and inserting in place thereof the words 'two dollars,' so that said section as amended shall read as follows:

Section 10, chapter 57 R. S., amended.

'Section 10. Any town may establish a free public library therein, for the use of its inhabitants, and provide suitable rooms therefor, under such regulation for its government as the inhabitants from time to time prescribe; and may appropriate, for the foundation and commencement of such library, a sum not exceeding two dollars, and for its maintenance and increase annually a sum not exceeding two dollars, for each of its ratable polls in the year next preceding. Any town in which there is a free public library may establish and maintain under the same general management and control, such branches of the same as the convenience and wants of its citizens seem to demand.'

Towns may establish public libraries, and raise money therefor.

—may maintain branches.

Approved March 16, 1909.