

MAINE STATE LEGISLATURE

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FOURTH REVISION.

THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED AUGUST 29, 1883, AND TAKING EFFECT JANUARY 1, 1884.

BY THE AUTHORITY OF THE LEGISLATURE.



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considered as a net single premium or simple endowment, payable only at the same time as the original endowment, and in case the insured survives to such time; and the amount thus payable by the company shall be determined according to the age of the party at the time of the lapse of the policy, and the assumptions of mortality and interest aforesaid. But any such company may issue to a resident of any other state or country a policy conforming to the laws of such state or country and not subject to this section.

SEC. 92. If the death of the insured occurs within the term of temporary insurance covered by the value of the policy, as determined in the preceding section, and if no condition of the insurance, other than the payment of premium has been violated by the insured, the company shall pay the amount of the policy as if there had been no lapse of premium, anything in the policy to the contrary notwithstanding; *provided, however*, that notice of the claim and proof of the death shall be submitted to the company, in the same manner as provided by the terms of the policy, within ninety days after the death; *provided, also*, that the company may deduct from the amount insured in the policy the amount, compounded at seven per cent. a year, of all the premiums that had been forborne at the time of the death, including the whole of the year's premium in which the death occurs.

SEC. 93. No life insurance company organized or incorporated under the laws of this state, shall re-insure its risks except by permission of the insurance commissioner; but nothing in this chapter shall be construed to prevent any life insurance company from re-insuring a fractional part, not exceeding one half of any individual risk.

SEC. 94. Life and accident policies, and the money due thereon are exempt from attachment, and from all claims of creditors, during the life of the insured, when the annual cash premium paid does not exceed one hundred and fifty dollars; but when it exceeds that sum, and the premium was paid by the debtor, his creditors have a lien on the policies for such sum over one hundred and fifty dollars a year, as the debtor has paid for two years, subject to any pledge or assignment thereof made in good faith.

CHAP. 49.

—such company not subject to this chapter in effecting insurance in other states.

In case of death during term of temporary insurance company to pay amount of policy. 1877, c.185, § 2.

—proviso.

Not to re-insure risks, except by permission of commissioner. 1878, c. 34.

Policies are exempt from attachment. 1881, c. 17. See c. 75, § 10.

—lien of creditor.

CHAPTER 50.

TOLL BRIDGES.

- SEC. 1. Military companies may pass over toll bridges free; also persons going to or returning from funerals, or worship on the Lord's day.
2. Persons exempted, to give toll gatherer name and place of abode, on request. Forfeiture for refusal, or for giving false information.
3. Restrictions on weight of teams and droves of cattle and horses.
4. Penalty for delaying passengers.
5. Only two persons and children to pass in a carriage toll free.

CHAP. 50.

- SEC. 6. Penalty for injuring toll gates or attempting to pass without paying toll.
 7. Covered toll bridges to be lighted. Penalty for neglect.
 8. Covered bridges to be kept snowed.
 9. Surrender of toll bridges to county, may be accepted by county commissioners. Party aggrieved, may appeal.
 10. Owners of toll ferries and bridges, may take land for a toll house.

Who may pass over toll bridges free. R.S., c. 50, § 1.

SEC. 1. All military companies, with their ordnance and equipage, on days of training or review, while under arms, or in going to or returning from their place of parade, and all persons going to or from a funeral, or public worship on the Lord's day, may pass over toll bridges, free of toll.

Persons exempted, to inform the toll gatherer. R. S., c. 50, § 2.

SEC. 2. Every traveller, claiming to pass any toll bridge free, shall communicate to the toll gatherer his name and place of abode, if required. Whoever refuses or omits so to do, or wilfully renders a false answer, and thereby evades the payment of his legal toll, forfeits to the proprietors ten dollars to be recovered in an action of debt.

Restrictions on weight of teams, and on droves of cattle and horses. R. S., c. 50, § 3.

SEC. 3. If any person driving neat cattle or horses over any toll bridge more than fifty feet in length from one abutment, pier, or trestle part to another, without the consent of the toll gatherer, or agent of the corporation owning it, permits more than twenty neat cattle or horses to be on such bridge at the same time, or drives or transports over it any loaded cart, wagon or other carriage, the weight whereof exceeds forty-five hundred pounds, exclusive of the team and carriage, and thereby breaks it down or injures it, neither he nor the owner of any property under his charge shall recover any damages against such corporation for his loss or injury.

Penalty for delaying passengers. R. S., c. 50, § 4.

SEC. 4. If a bridge corporation, or its agent, unreasonably delays or hinders any person driving a cart, wagon, sleigh or other carriage, from passing any toll gate, such corporation forfeits to such person not less than two, nor more than twenty dollars; to be recovered by an action on the case.

Two persons and children can pass in carriage, toll free. R.S., c. 50, § 5.

SEC. 5. No more than two persons, and children with them not received for the purpose of evading the payment of toll, have a right to pass a toll bridge in any carriage, free of the toll payable by foot passengers in addition to the toll due on the carriage.

Penalty for injuring toll gates or attempting to pass without paying toll. R.S., c. 50, § 6. 28 Me., 304.

SEC. 6. Whoever maliciously breaks down or otherwise destroys or injures any toll gate, or toll bridge, or passes or attempts to pass such gate with intent to avoid the payment of toll, when liable thereto, and it is demanded, forfeits not less than five, nor more than fifty dollars to the proprietors of the bridge, in addition to any actual damage caused by him; but no process shall be maintained to recover such penalty, unless the corporation has complied with its charter, and the bridge is in repair, as public safety and interest require.

Covered toll bridges to be lighted. R.S., c. 50, § 7.

SEC. 7. Every toll bridge, if in whole or in part covered, shall be suitably lighted with not less than one sufficient light for every seventy-five feet in length of the covered part, commencing within twenty minutes after sunset, and continuing until ten o'clock in each evening; except at the seasons of the year, if any, when toll is not demanded; and for each evening's neglect or refusal to do so, the corporation forfeits two dollars, to be recovered by an action of debt, in the county where any

—penalty for neglect.

part of the bridge is situated, to the prosecutor; and is also liable, in a special action for damages, to any person injured thereby. CHAP. 50.

SEC. 8. Persons and corporations maintaining covered bridges for public travel, shall keep them snowed at all reasonable times.

Covered bridges to be snowed. 1872, c. 21.

SEC. 9. When a toll bridge corporation offers to surrender its bridge, free of cost or incumbrance, to the county commissioners of the county or counties where it is established, and they think it for the public interest and convenience, they shall accept it, and it shall thereafter be the property of such county or counties, and be maintained at their expense; but they shall not so accept a bridge connecting with a way not located and accepted by the town or county where it is situated. Any party aggrieved by the doings of the commissioners, as aforesaid, may have a committee or jury to determine the matter as provided in chapter eighteen.

Surrender of toll bridges to the county. R.S., c. 50, § 8.

—appeal.

See c. 18, § 8.

SEC. 10. Towns, corporations and individuals, owning ferries and bridges authorized to receive toll, may take and use land within the limits of the highway for the erection and maintenance of toll houses, but not to obstruct the public travel.

Owners of ferries and bridges may take land for toll houses. R.S., c. 50, § 9.

CHAPTER 51.

RAILROADS.

ORGANIZATION OF RAILROAD COMPANIES UNDER GENERAL LAW.

- SEC. 1. Railroad companies, how they may be formed. Articles of association. Capital stock. Gauge. Shares. Directors. Subscription.
2. Articles, when to be filed. Oath of majority of directors that stock has been subscribed, and five per cent. paid.
3. Articles to be approved by railroad commissioners. Their certificate to be recorded by secretary of state and a certificate issued by him. Form. Secretary's certificate when recorded, evidence of organization.
4. First meeting, how called.
5. Capital stock, how increased.
6. Location to be approved by commissioners on petition of company, after hearing, on due notice. After approval, road may be constructed.
7. Construction to be begun, and ten per cent. of capital expended, within three years.
8. Map and profile, when to be filed with secretary of state. Maps, how drawn.
9. Directors' tolls may be revised by commissioners, after hearing of parties.
10. Any narrow gauge railroad may change to standard gauge.

PETITION FOR LEGISLATIVE CHARTER.

- SEC. 11. What the petition must contain.

NUMBER OF DIRECTORS. STOCK VOTE.

- SEC. 12. Any company may fix the number of its directors.
13. Any stockholder at a company meeting may call for a stock vote.

REAL ESTATE, HOW AND FOR WHAT TAKEN.

- SEC. 14. Land may be bought or taken, as for public uses; for what purposes; not to exceed four rods in width; exception.