

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115-

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1870.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 26, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.
1870.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1870.

CHAP. 82.**Chapter 82.**

An act to amend section twenty-four of chapter fifty-one of the revised statutes, relating to trespasses on adjoining land.

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

Section twenty-four of chapter fifty-one of the revised statutes is amended as follows, by inserting in the second line of said section, after the word "superintendent," the words, 'or treasurer, or by leaving the same at the office of either,' and by striking out in the fourth line of said section the word "thirty" and inserting therein the word 'seven,' and striking out all of said section after the word "dollars," so that said section as amended shall read as follows :

'SECT. 24. The owner of land adjoining a railroad may give written notice to its superintendent or treasurer, or by leaving the same at the office of either, that such fence is not made, or that it needs repair. For neglect to make or repair it for seven days after such notice, the corporation forfeits to such owner one hundred dollars.'

Approved February 7, 1870.

Chapter 83.

An act to repeal chapter fifty-three of the acts of eighteen hundred and fifty-eight, and sections thirty-two, thirty-three and thirty-four of chapter eighty-four of the revised statutes, and to amend section thirty-one of the same chapter, relating to levy of executions against towns.

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

SECT. 1. Chapter fifty-three of the public laws of eighteen hundred and fifty-eight, and sections thirty-two, thirty-three and thirty-four of chapter eighty-four of the revised statutes, are hereby repealed.

SECT. 2. Section thirty-one of chapter eighty-four of the revised statutes is hereby amended by striking out in the second and third lines the following words, viz : "and any inhabitant who voluntarily pays his due proportion, or is compelled to satisfy such warrant in whole or in part," so that said section as amended shall read as follows :

'Sect. 31. The owner of any real or personal estate so sold may recover against the town, in an action of assumpsit, the full value thereof with interest at the rate of twelve per cent. yearly, with costs of suit ; and may prove and recover the real value thereof, whatever was the price at which it was sold.'

Approved February 11, 1870

R. S., chap. 61, sect. 24, relating to remedy of owner of land adjoining a railroad for neglect to fence.

Notice may be given to or left at the office of superintendent or treasurer.

Public laws 1868, chap. 53, and R. S., chap. 84, sect. 32, 33, 34, relating to levy of executions against towns, repealed.

R. S., chap. 84, sect. 31, amended.

Remedy of owner of property sold.