

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115-

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1870.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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AUGUSTA:  
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1870.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.  
1870.

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cash, except the grass growing on improvements made by an actual settler, until incorporated into a town, for such sum as he thinks just and reasonable. When so sold, he shall give the purchaser a permit under his hand and seal, setting forth the terms of the contract, which shall be recorded in the office. The proprietors of the township or tract shall have the option to become purchasers thereof, at the rate per acre for which the township or tract was sold.'

SECT. 3. Section seventy-four of chapter eighteen of the revised statutes, shall be amended, so as to read as follows :

'Sect. 74. If the municipal officers of any town unreasonably neglect to cause a guide post to be erected in their town as provided by law, they shall forfeit and pay five dollars for each month's neglect, to be recovered in an action of the case by and to the use of any person suing therefor. Plantations assessed in state or county taxes and their officers are under the same obligations and subject to the same penalties in these respects as towns.'

R. S., chap. 18, sect. 74, relating to the erection of guide posts, amended.

SECT. 4. Chapter forty of the public laws of eighteen hundred and sixty-six, shall be amended, so as to read as follows : 'Towns shall erect and maintain at all crossings of highways and where one public highway enters another, substantial guide posts not less than eight feet high and have fastened to the upper end of each a board, on which shall be plainly printed, in black letters on white ground; the name of the next town on the route, and of such other place, as the municipal officers direct, with the number of miles thereto, and the figure of a hand with the forefinger pointing thereto; and for any neglect herein towns shall be subject to indictment, and fine not exceeding fifty dollars.

Public laws 1866, chap. 40, relating to guide posts, amended.

SECT. 5. This act shall take effect when approved.

Approved March 14, 1870.

### Chapter 136.

An act to amend section twenty-seven of chapter seventy-seven of the revised statutes, relating to exceptions in supreme judicial court.

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

SECT. 1. Section twenty-seven of chapter seventy-seven of the revised statutes, is hereby amended, by adding the following words : 'But such judge, if he deems such exceptions frivolous and intended for delay, may so certify upon motion of the party not excepting; and exceptions so certified to be frivolous and

R. S., chap. 77, sect. 27, relating to exceptions in civil and criminal cases, amended.

**CHAP. 137.** intended for delay may be transmitted at once by such judge to the chief justice, and shall, when so certified, be argued in writing on both sides within thirty days thereafter, unless the judge shall for good cause enlarge the time, and exceptions so certified shall be considered and determined by the justices of the supreme judicial court as soon as may be, and their determination shall be forthwith certified to the clerk of the county where the same are pending,' so that said section shall read as follows :

R. S. chap. 77,  
sect. 27, as  
amended.

'Sect. 27. When the court is held by one justice, a party aggrieved by any of his opinions, directions or judgments in any civil or criminal proceeding, may, during the term, present written exceptions in a summary manner, signed by himself or counsel, and when found to be true they shall be allowed and signed by such judge. But such judge, if he deems such exceptions frivolous and intended for delay, may so certify upon motion of the party not excepting; and exceptions so certified to be frivolous and intended for delay may be transmitted at once by such judge to the chief justice, and shall, when so certified, be argued in writing on both sides within thirty days thereafter, unless the judge shall for good cause enlarge the time; and exceptions so certified shall be considered and determined by the justices of the supreme judicial court as soon as may be, and their determination shall be forthwith certified to the clerk of the county where the same are pending.'

R. S. chap. 77,  
sect. 28, relating  
to proceedings of  
court when dilatory  
plea is overruled  
and exceptions  
taken,  
amended.

R. S. chap. 77,  
sect. 28, as  
amended.

SECT. 2. Section twenty-eight of said chapter is hereby amended by striking out all after the word "law," in the third line, and adding the words 'subject to the provisions of the preceding section,' so that the section, when amended, shall read as follows :

'Sect. 28. When a dilatory plea is overruled and exceptions taken, the court is to proceed and close the trial, and the action shall then be continued and marked law, subject to the provisions of the preceding section.'

SECT. 3. This act shall take effect when approved.

Approved March 14, 1870.

## Chapter 137.

An act to amend chapter twelve of the revised statutes, relating to parishes, meeting houses, ministerial and school lands and funds arising therefrom.

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

R. S., chap. 12,  
sect. 32, relating  
to rights of  
minority in the  
ownership of a  
meeting house,  
amended.

Section thirty-two of chapter twelve of the revised statutes, is hereby amended, by striking from the second and third lines from the top the words, "allowing no more for any pew than was actually paid for it by the owner," so that the said section thirty-