

# 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,  
February 26, 1840, and March 16, 1842.

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AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1870.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1870.

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**CHAP. 147.** town, and at the next annual assessment thereafter a tax shall be levied upon the whole town equal to the whole amount of said appraisal; and there shall be remitted to the tax payers of each district the said appraised value of its property thus taken, or the difference in the value of the property of the several districts may be adjusted in any other manner agreed upon by the parties in interest. Upon the abolition or discontinuance of any district its coporate powers and liabilities shall continue and remain so far as may be necessary for the enforcement of its rights and duties.'

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

Approved March 17, 1870.

### Chapter 147.

An act to amend section sixty-one, chapter eighteen of the revised statutes, relating to damages from defective highways.

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

R. S., chap. 18,  
sect. 61, amended.

Section sixty-one, of chapter eighteen, of the revised statutes, is hereby so amended, as to read thus:

Recovery of  
damages for inju-  
ries received from  
defects in ways.

'Sect. 61. If any person receive any bodily injury or suffer any damage in his property, through any defect or want of repair, or of sufficient railing in any highway, town-way, causeway or bridge, he may recover for the same, in a special action on the case, to be commenced within three years from the date of receiving such injury or suffering such damage, of the county, town or persons obliged by law to repair the same, if such county, town or person had reasonable notice of the defect or want of repair. If the life of any person be lost through any such deficiency, his executor or administrator may recover of the parties liable to keep the same in repair, in an action on the case brought for the benefit of the estate of the deceased, such sum as the jury may deem reasonable as damages, if the parties liable had reasonable notice of the deficiency which caused the loss of life; but this act shall not apply to cases now pending, and in any instance where such cause of action has already accrued an action may be commenced within six months from the time this act takes effect.'

Approved March 17, 1870.