

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTIETH LEGISLATURE,

OF THE

STATE OF MAINE.

1871.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1871.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1871.

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**Chapter 188.**

An act additional to section twenty-five of chapter eighteen of the revised statutes, in relation to petitions for increase of damages by reason of the laying out, altering or widening of town ways.

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

SECT. 1. When a petition for increase of damages, provided by section twenty-five of chapter eighteen of the revised statutes, is presented to the county commissioners, they shall at their first regular term thereafter, order a notice to the town interested in such petition, to appear at the next regular term, and the case shall stand continued, and no jury shall be summoned until all parties in interest have been notified and had an opportunity to be present and enter into an agreement for a committee as provided by section eight of the same chapter.

R. S., chap. 18, sect. 25, relating to petitions for increase of damages by reason of town ways, amended.

SECT. 2. This act shall take effect when approved.

Approved February 15, 1871.

**Chapter 189.**

An act to amend section forty-seven of chapter twenty-seven of the revised statutes, concerning recognizances in appeals from magistrates.

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

SECTION 1. Section forty-seven of chapter twenty-seven of the revised statutes, is hereby amended, by striking out the following words : "In case of appeal from a sentence of imprisonment under the twenty-eighth section, the penal sum of recognizement shall be two hundred dollars ; and in all other appeals from any other judgment or sentence of a magistrate in proceedings under this chapter, relating to drinking houses and tippling shops, the penal sum of the recognizance shall be one hundred dollars ;" and in the sixteenth line by striking out the words "in such case," and insert instead thereof 'under so much of this chapter as relates to intoxicating liquors,' so that said section, as amended, shall read as follows :

R. S., chap. 27, sect. 47, relating to recognizances in appeals from magistrates, amended.

'Sect. 47. If any party shall appeal, the proceedings in all matters shall be the same in the appellate court as they would be upon the same matters in the court of the magistrate, and said proceedings shall be conducted in said court by the attorney for the state in the county where the proceedings are pending. The jury shall find specially under the direction of the court, on all facts necessary to determine the adjudication of the court ; and if

Proceedings in the appellate court.

**CHAP. 190.** a claimant or other respondent shall fail to appear for trial in the appellate court, the judgment of the court below, if against him, shall be affirmed. No portion of the penalty of any recognizance taken under so much of this chapter as relates to intoxicating liquors shall be remitted by any court in any suit thereon, nor shall any surety in any such recognizance be discharged from his liability therein by a surrender of his principal in court after he has been defaulted upon his recognizance. The appeals of claimants provided for in the thirty-seventh section, shall be entered as all other appeals in criminal cases, and subject to the same requirements of law appertaining to them.'

SECT. 2. This act shall take effect when approved.

Approved February 17, 1871.

### Chapter 190.

An act concerning bills in equity.

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

Bills in equity,  
verification.

SECT. 1. When any bill in equity is required to be verified by the oath of the complainant, such verification by a party for whose benefit the bill sets forth it is prosecuted, shall be sufficient and have the same effect.

SECT. 2. This act shall take effect when approved.

Approved February 17, 1871.

### Chapter 191.

An act to repeal sections forty-eight to fifty-three, inclusive, of chapter forty-seven of the revised statutes, relating to bank returns.

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

Acts requiring  
banks to make  
returns, repealed.

SECT. 1. All the sections of chapter forty-seven of the revised statutes, numbered forty-eight to fifty-three, inclusive, are hereby repealed.

SECT. 2. This act shall take effect when approved.

Approved February 17, 1871.