

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1874.

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

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AUGUSTA:  
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.  
1874.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1874.

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**CHAP. 216.**

Person injured, shall notify county commissioners, &c.

Loss of life, damages, how recovered.

View of premises.

Notice not affect pending suits.

able notice of the defect or want of repair ; and any person who sustains any injury or damage as aforesaid, shall notify the county commissioners of such county, the municipal officers of such town, or person, within sixty days thereafter, by letter or otherwise, setting forth his claim for damages, and specifying the nature of his injuries. If the life of any person is 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. At the trial of any such action the court may, on motion of either party, order a view of the premises where the defect or want of repair is alleged to have existed, when it would materially aid in a clear understanding of the case.

SECT. 2. The above named notice by the person sustaining injury or damage, shall not affect pending suits, nor apply to any injury or damage already sustained.

Approved March 3, 1874.

## Chapter 216.

An act to amend chapter one hundred and fifteen, sections one and two of the public laws of eighteen hundred and seventy-three, relating to free high schools.

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

Sec. 1, ch. 116, laws of 1873, amendment of.

Chapter one hundred and fifteen, section one, of the public laws of eighteen hundred and seventy-three, is hereby amended by inserting after the word "mixed," in the fourth line the following words, 'or any part thereof,' and by inserting after the word "plantation," in the seventh line, words as follows, 'or trustees of any school fund in any town'; and also by striking out the word "or" in the ninth line, and inserting after the word "assessors," in the same line, the words 'or said trustees,' and also by inserting after the word "officers," in the twelfth line, the following words, 'or trustees.' And section two of said chapter is hereby amended by inserting in line four after the word "plantation," the following words, 'or said trustees of any school fund,' so that sections one and two of said chapter as amended shall read as follows :

Trustees of academies, &c., may surrender property to establish free high schools.

SECT. 1. The trustees of any academy or other corporation formed for educational purposes in this state, are hereby authorized to surrender the property belonging to said academy or

corporation, of every kind, real, personal and mixed, or any part thereof, by a majority vote of such of said trustees as reside in this state, to the aldermen of any city, the selectmen of any town, or the assessors of any plantation, or the trustees of any school fund in any town in which said academy or corporation is situated, for the purpose of turning the same into a free high school as hereinafter provided, and said aldermen, selectmen, assessors, or said trustees, as the case may be, for the time being, shall be a board of trustees to take and hold said property for the purpose of maintaining a free high school forever; and it shall be the duty of said officers or trustees upon receiving said property to use proper diligence to make the same produce income for the support of said free high school.

Trustees of free high schools, duties of.

SECT. 2. It shall be the duty of the treasurer of said trustees, when such vote is passed as provided in section one, to convey, assign and deliver to the municipal officers of said city, town or plantation, or said trustees of any school fund, all property, real, personal and mixed, belonging to said academy or corporation for the purposes indicated by this act.

Property, how conveyed.

Approved March 3, 1874.

## Chapter 217.

An act to amend section five of chapter two of the revised statutes, relating to lands ceded to the United States.

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

Section five of chapter two of the revised statutes is amended in the fifth line by adding after the word "railroad," the words 'light-house, beacon, or other aids to navigation,' so that said section when amended shall read as follows:

Sec. 5, ch. 2, R. S., amendment of.

'The governor, by advice of the council, is authorized and empowered to take, in the name of the state, by purchase and deed, or in the manner herein denoted, any land or lands, or rights of way, for the purpose of erecting, using or maintaining any fort, fortifications, arsenal, military connection, way, railroad, light-house, beacon, or other aids to navigation, with all necessary rights, powers and privileges incident to the use thereof, whenever the governor by and with the advice of the council, may determine that the public exigencies require it; and by and with the advice of the council he may deliver possession and cede the jurisdiction thereof to the United States on such terms and conditions as they deem expedient.'

Cession of jurisdiction of land to the United States.

Approved March 3, 1874.