

# MAINE STATE LEGISLATURE

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REVISED STATUTES

OF THE

STATE OF MAINE

1954

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1955 SUPPLEMENT

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ANNOTATED

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IN FIVE VOLUMES

VOLUME 3

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**Place in Pocket of Corresponding  
Volume of Main Set**

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THE MICHIE COMPANY  
CHARLOTTESVILLE, VIRGINIA  
1955

signed by the assessors, and their warrant to the tax collector, and proves that such tax collector complied with the requirements of law in selling such real estate; and in all actions involving the validity of such sales the tax collector's return to the municipal clerk shall be prima facie evidence of all facts therein set forth. (1955, c. 399, § 1.)

**Sec. 122. Posting notices; evidence of.**—The affidavit of any disinterested person as to posting notifications required for the sale of any real estate to be sold by the sheriff or his deputy, constable or tax collector, in the execution of his office, may be used in evidence in any trial to prove the fact of notice; if such affidavit, made on one of the original advertisements, or on a copy of it, is filed in the registry of the county where the real estate lies, within 6 months. (1955, c. 399, § 1.)

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## Chapter 92.

### Taxation Laws Relating to Towns.

**Secs. 1-172.** Repealed by Public Laws 1955, c. 399, § 2.

**Editor's note.**—Section 7 of this chapter was also repealed by P. L. 1955, c. 405, § 42. For present property tax laws, see c. 91-A.

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## Chapter 93.

### Maine Housing Authorities.

**Sec. 9. Housing rentals and tenant admissions; veterans preference.**

As used in this section the term "veteran" shall mean a person who has served in the active military or naval service of the United States at any time on or after September 16, 1940 and prior to July 26, 1947, or at any time on or after April 6, 1917, and prior to November 11, 1918, or at any time on or after June 27, 1950 and prior to February 1, 1955, and who shall have been discharged or released therefrom under conditions other than dishonorable. The term "serviceman" shall mean a person in the active military or naval service of the United States who has served therein on or after September 16, 1940 and prior to July 26, 1947, or at any time on or after April 6, 1917 and prior to November 11, 1918, or at any time on or after June 27, 1950 and prior to February 1, 1955. Notwithstanding any provisions of this section, an authority may agree to conditions as to tenant eligibility or preference required by the federal government pursuant to federal law in any contract for financial assistance with the authority.

(1955, c. 147, § 3.)

**Effect of amendment.**—The 1955 amendment changed the second paragraph from the end of the section by inserting in the first sentence and at the end of the second sentence the words "or at any time on or

after June 27, 1950 and prior to February 1, 1955." As only this paragraph was changed by the amendment the rest of the section is not set out.

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## Chapter 94.

### Pauper Laws.

#### Paupers, Settlement and Support.

**Sec. 25. Certain larger plantations to maintain their paupers.** — Plantations having a population of 200 or more and a valuation of at least \$250,000

shall support the paupers therein, in the same manner that towns now do, and the expenses therefor shall not be chargeable to the state. (R. S. c. 82, § 25. 1955, c. 87.)

**Effect of amendment.**—The 1955 amendment, which became effective on its approval, March 18, 1955, substituted “\$250,000” for “\$100,000.”

## Chapter 96.

### Forests. Parks. Ways. Sewers and Drains. Fences.

Section 1-A. State-Owned Lands.

#### State-Owned Lands.

**Sec. 1-A. Profits from state-owned lands.**—In towns where the state owns land as the result of acquisition of such land through the use of federal aid funds under the Pittman-Robertson Federal Aid to Wildlife Act and upon which natural products are sold or leased, 50% of the net profits received by the state from the sale or lease of such natural products shall be paid by the state to the town wherein such land is located. (1955, c. 405, § 43.)

#### Public Parks, Squares, Playgrounds and Shade Trees.

**Sec. 5. Land taken for parks, squares, public libraries and playgrounds.**—Any city or town upon petition in writing signed by at least 30 of its taxpaying citizens, directed to the municipal officers, describing the land to be taken as hereinafter provided, and the names of the owners thereof so far as they are known, may, at a meeting of such town or the city government, direct such municipal officers to take suitable lands for public parks, squares, playgrounds, buildings for municipal purposes or a public library building; and thereupon such officers may take such land for such purposes, but not without consent of the owner if at the time of filing such petition with such officers or in the office of the clerk of such town or city such land is occupied by a dwelling house wherein the owner or his family reside. When land is taken under the provisions of this section for a public park, the fee of such land may be taken and compensation assessed and paid accordingly. Land in any town so taken for a public park may by authority of a majority vote at a town meeting be transferred and conveyed to the federal government so as to become a part of a national park. Nothing herein shall be held to deprive the former landowners from proceeding to restrain the use of such land for other than public park purposes. (R. S. c. 84, § 5. 1955, c. 216.)

**Effect of amendment.**—Prior to the 1955 amendment this section applied only to cities and towns containing more than 1,000 inhabitants.

#### Liability for Repair of Ways and for Injuries.

**Sec. 87.** Repealed by Public Laws 1955, c. 424, § 6.

**Sec. 89. Persons injured by highway defects; damages; notice.**

Applied in *Verreault v. Lewiston*, 150 Me. 67, 104 A. (2d) 538.

**Sec. 92. Slippery sidewalk no cause of action.**

This section is not unconstitutional as denying equal protection of the laws, in violation of § 1 of the fourteenth amendment to the constitution of the United States, and the guaranties under § 1 of art. 1 of the constitution of Maine. *Verreault v. Lewiston*, 150 Me. 67, 104 A. (2d) 538.

**Exemption is unrestricted and absolute.**—Whatever may be the character of a ridge of ice or snow in a roadway, as