

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1282

H.P. 906

House of Representatives, April 11, 1995

An Act to Correct Obsolete References to Justices of the Peace.

Submitted by the Secretary of State pursuant to Joint Rule 24.

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative DAGGETT of Augusta.

Cosponsored by Representatives: AHEARNE of Madawaska, YACKOBITZ of Hermon.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 23 MRSA §3101** is amended to read:

6 **§3101. Call of meetings**

8 When 4 or more persons are owners and occupants of a private
10 way or bridge, any 3 of them may make written application to a
12 ~~justice-of-the-peace~~ notary public to call a meeting, who may
14 issue ~~his~~ a warrant setting forth the time, place and purpose
16 ~~thereof of the meeting~~, a copy of which shall must be posted at
18 some public place in the town 7 days before such time. When so
20 assembled, they may choose a clerk and a surveyor, to be sworn,
22 and they may determine what repairs are necessary and the
24 materials to be furnished or amount of money to be paid by each
26 owner ~~therefor~~ for the repairs and the manner of calling future
28 meetings.

30 **Sec. 2. 33 MRSA §1053** is amended to read:

32 **§1053. Appraisal if value \$10 or more**

34 Every finder of lost goods or stray beasts of the value of
36 \$10 or more shall, within 2 months after finding and before using
38 them to their disadvantage, procure a warrant from the town clerk
40 or a ~~justice-of-the-peace~~ notary public, directed to 2 persons
42 appointed by said clerk or ~~justice~~ notary, not interested except
44 as inhabitants of the town, returnable at said clerk's office
46 within 7 days from its date, to appraise said goods under oath.

48 **Sec. 3. 33 MRSA §1054** is amended to read:

50 **§1054. Restitution to appearing owner; money or goods**

52 If the owner of such lost money or goods appears within 6
months, and if the owner of such stray beasts appears within 2
months after said notice to the town clerk and gives reasonable
evidence of ~~his~~ ownership to the finder, ~~he~~ the owner shall have
restitution of them or the value of the money or goods, paying
all necessary charges and reasonable compensation to the finder
for keeping, to be adjudged by a ~~justice-of-the-peace-of-the~~
~~county~~ the district court, if the owner and finder cannot agree.

54 **Sec. 4. 38 MRSA §851** is amended to read:

56 **§851. Meeting of mill owners; call; object**

58 When an owner of a mill or of the dam necessary for working
it ~~it~~ the mill thinks it necessary to rebuild or repair it in whole
or in part, ~~he~~ the owner may apply in writing to a ~~justice-of-the~~
~~peace~~ notary public in the county where ~~it~~ the mill is situated,
or if partly in 2 counties, to a ~~justice-of-the-peace~~ notary

2 public in either, to call a meeting of the owners, stating the
object, time and place of the meeting. ~~Sueh-justice~~ The notary
4 may issue ~~his~~ a warrant for the purpose, directed to ~~sueh~~ the
owner, which shall must be published in some newspaper printed in
6 ~~sueh~~ the county, if any, 3 weeks successively, the last
publication to be not less than 10 nor more than 30 days before
8 the meeting; or a true copy of the warrant may be delivered to
each of said owners or left at ~~his~~ the owner's last ~~and-usual~~
10 ~~place-of-abode~~ known address; and either notice is binding on all
the owners.

12

14 **STATEMENT OF FACT**

16 During the 1980's, the Office of Justice of the Peace was
merged with that of Notary Public, with the merger completed in
18 1988. Because of a constitutional problem, Public Law 1987,
chapter 736, effective July 1, 1988, renamed the Office of
20 Complaint Justice to that of Justice of the Peace, and changed
most relevant statutes accordingly. Four statutes appear to have
22 been overlooked. None of the 4 has been amended since the 1964
revision. This bill makes the corrections.