

MAINE STATE LEGISLATURE

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FORTY-NINTH LEGISLATURE.

SENATE.

No. 32.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

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 :

Section sixty-one of chapter eighteen of the revised statutes is hereby amended, by adding after the word "case" in the fifth line, the words, "to be commenced within three years from the date of receiving such injury or suffering such damage," so that said section as amended shall read as follows :

7 SECT. 61. If any person receives any bodily injury
8 or suffers any damage in his property, through any
9 defect or want of repair or sufficient railing in any
10 highway, town way, causeway or bridge, he may re-

11 cover for the same in a special action on the case to
12 be commenced within three years from the date of
13 receiving such injury or suffering such damage, of the
14 county, town or persons obliged by law to repair the
15 same, if such county, town or person had reasonable
16 notice of the defect or want of repair. If the life of
17 any person is lost through any such deficiency, the
18 parties liable to keep the same in repair, if they have
19 reasonable notice of such deficiency, shall forfeit not
20 exceeding one thousand dollars, to be paid to the
21 executor or administrator of the deceased for the use
22 of his heirs, to be recovered by indictment.

STATE OF MAINE.

IN SENATE, February 22, 1870.

Reported from the Committee on the Judiciary, by Mr. LINDSEY of Somerset, and printed under the Joint Rule.

SAMUEL W. LANE, *Secretary.*