

MAINE STATE LEGISLATURE

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Sixty - Third Legislature.

HOUSE.

No. 126.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-EVEN.

AN ACT to amend an act entitled "An Act to enable the Bishop of the Protestant Episcopal Church in the Diocese of Maine to remove, rebuild or repair St. James' Parish Church of Old Town.

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

SECTION 1. Section two of chapter forty-five of
2 the private and special laws of the State of Maine
3 enacted in the year of our Lord one thousand eight
4 hundred and eighty-one, and entitled "An Act to
5 enable the Bishop of the Protestant Episcopal
6 Church in the Diocese of Maine to remove, rebuild
7 or repair St. James' Parish Church of Old Town,"
8 is hereby amended by striking out all after the

9 word "act" in the fifth line of said section, and in-
10 serting instead of the words thus stricken out, the
11 following:

'Shall give written notice to the said bishop or
13 his successor in said office, setting forth therein
14 the nature and amount of his claim for loss or dam-
15 age as aforesaid, and requesting payment thereof;
16 and if said loss or damage is not adjusted and paid
17 within sixty days after such notice is given, the
18 party claiming to have suffered the same may bring
19 such appropriate action for the recovery thereof as
20 he is by law entitled to bring, and the loss or dam-
21 age to be recovered in said action, if any, shall be
22 determined, in accordance with law. This act shall
23 not be construed as in any way enlarging the right
24 of any person to recover such loss or damage.'

So that said section as amended shall read as fol-
26 lows:

'SECT. 2. Any person having a vested right in
28 the whole or any part of a pew or pews in said
29 building, who shall deem himself to have suffered
30 any loss or damage by reason of any repairs, re-
31 building or other alteration made in said building
32 under the authority given by this act, shall give
33 written notice to the said bishop or his successor
34 in said office, setting forth therein the nature and

35 amount of his claim for loss or damage as afore-
36 said, and requesting payment thereof; and if
37 said loss or damage is not adjusted and paid
38 within sixty days after such notice is given, the
39 party claiming to have suffered the same may bring
40 such appropriate action for the recovery thereof as
41 he is by law entitled to bring, and the loss or dam-
42 age to be recovered in said action, if any, shall
43 be determined in accordance with law. This act
44 shall not be construed as in any way enlarging the
45 right of any person to recover such loss or dam-
46 age.'

SECT. 2. Section three of said chapter forty-five
2 is hereby amended by striking out the words "claim
3 for" in the first line of said section three and in-
4 serting instead thereof the words 'action to re-
5 cover the'; and by striking out all between the word
6 "maintainable" in the second line, and the word
7 "within" in the third line of said section three, and
8 inserting instead thereof the words 'against any
9 person unless the notice mentioned in said section
10 shall have been given at least sixty days prior to
11 the commencement of such action; nor shall any
12 such action be maintainable unless commenced';
13 and by inserting before the word "making" in the
14 fourth line of said section three, the words 'taking

15 down said building or in'; so that said section as
16 amended shall read as follows:

'SECT. 3. No action to recover the damage or
18 loss mentioned in the foregoing section shall be
19 maintainable against any person unless the notice
20 mentioned in said section shall have been given at
21 least sixty days prior to the commencement of such
22 action; nor shall any such action be maintainable
23 unless commenced within six years from the day
24 on which actual work is begun in taking down said
25 building, or in making the repairs or alterations
26 above mentioned.'

SECT. 3. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 16, 1887. }

Tabled, pending first reading. and ordered printed on motion of Mr.
MANLEY of Augusta.

NICHOLAS FESSENDEN, Clerk.