

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1852.

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Published by the Secretary of State, agreeably to resolves of June 28, 1820, February  
26, 1840, and March 16, 1842.  
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**Augusta:**  
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1852.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1852.

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may have been duly claimed, and allowed from any decree of such judge settling up and allowing such will. CHAP. 245.

SECT. 2. In such case it shall be the duty of such executor, (after the payment of the just debts and charges of administration) to retain in his hands all the remaining avails of any such estate until it shall be determined to whom of right the same shall belong, and upon the final settlement of such estate, to pay over the balance remaining in his hands, either to the legatees or heirs at law, as the judge or court of probate may decree, and such payment shall relieve such executor from all liability on his bond. May retain the avails until final settlement.  
Payment to release the bond.

SECT. 3. In all cases where by the provisions of a will, matters are left to the judgment or discretion of executors therein named, or to be appointed by the probate court, it shall be the duty of such executors to submit their doings on petition of any person interested therein, to the probate court, and its approval of the same shall be necessary to their validity. Discretionary matters to be approved by probate court.

SECT. 4. This act shall take effect from and after its approval by the governor.

[Approved April 9, 1852.]

### Chapter 245.

An act encouraging persons to furnish watering places by the side of highways.

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

SECT. 1. Any person in any city, town or plantation in this state, who shall construct and maintain and keep in good repair a watering trough beside the highway, and well supplied with water, the surface of which shall be at least two feet and a half above the ground, and made easily accessible for horses and carriages, shall be allowed by the city, town or plantation three dollars out of his highway tax for each year he shall furnish the same : *provided*, if there shall be more than one person in any highway district or ward claim to furnish such watering trough, the aldermen of the city, or the selectmen of the town or plantation, shall decide where said watering place shall be located. §3 tax abated to any one maintaining a public watering trough.  
Size and convenience.  
Proviso.  
Selectmen, &c., to select location.

SECT. 2. This act shall take effect and be in force from and after its approval by the governor.

[Approved April 9, 1852.]