

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

EXTRA SESSION OF THE THIRTY-SECOND LEGISLATURE, 1853,

AND THE

# THIRTY-THIRD LEGISLATURE

OF THE

# STATE OF MAINE,

1854.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1854.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1854.

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## CHAP. 80.

## Chapter 80.

An act to amend "An act to provide for the education of youth," approved August twenty-seventh, eighteen hundred and fifty.

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

The fourth section of article fourth of the act aforesaid be amended by adding at the close thereof the following words, namely: "and the assessors aforesaid shall assess all taxes voted by said district, according to a valuation made by themselves, for that purpose, which shall be uniform throughout said district," so that the section when amended shall read as follows: "When any school district shall be formed from parts of two or more towns, as aforesaid, the superintending school committee, selectmen, assessors, treasurer, collector and constable of the town in which the school-house of such district is situated, or has been located, or in which the school of such district is kept, or if there be no such school-house or school, the aforesaid officers of the oldest towns, from which any part of such district shall have been taken, shall, in respect of such district, have all the powers and perform all the duties, and be deemed to all intents, to stand in the place of such officers, in respect to school districts situated wholly in any one town; and the assessors aforesaid shall assess all taxes voted by said district according to a valuation made by themselves for that purpose, which shall be uniform throughout said district." This act shall take effect from and after its approval by the governor.

[Approved April 15, 1854.]

## Chapter 81.

An act for the regulation of ways dedicated to public use.

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

SECT. 1. No way heretofore opened and dedicated to the public use, and not already become a public way, and no way hereafter opened and dedicated to the public use, which shall be, in either case, less than two rods in width throughout the entire length of the same, shall be required to be maintained and kept in repair by any city or town, unless such ways shall be laid out and established, in the manner prescribed by the statutes of this state.

Districts formed from parts of more than one town.

Taxes, how assessed.

Towns and cities not required to maintain ways less than two rods wide.

SECT. 2. It shall be the duty of the mayor and aldermen of any city, and of the selectmen of any town, and they are hereby authorized, whenever, and so long as the public safety may in their opinion require it, to direct and cause the entrances of all the ways aforesaid, within their respective cities or towns, entering on, and uniting with any existing public way to be closed up, or by such other means as may be practicable and suitable, to give notice and caution the public against entering upon such ways.

Selectmen authorized to close up such ways.

If such entrances shall not be closed, or notice shall not be given as aforesaid, the city or town, in which such way may be, shall be liable for damages caused by any defects therein in the same manner as if such ways were duly laid out and established; but notwithstanding anything in this act contained, the person or persons by whom such ways shall be opened, and suffered to remain in an unsafe condition, shall be liable to indictment or to action for damages, on account of any defect existing therein, before the same shall be duly laid out and established.

If not closed, liable for damages.

Liability of persons opening such ways.

SECT. 3. If any person with the intention to prevent the closing of such ways, shall displace, throw down, or remove any fence, or other obstruction, by which the entrance of such ways shall have been closed as aforesaid, he shall forfeit and pay a sum not less than ten, nor more than fifty dollars, for every such offense, to be recovered by an action of debt, in the name, and to the use of the city or town within which the offense shall be committed.

--for removing any fence with intention to prevent the closing of such way.

SECT. 4. Nothing in this act contained, shall discharge any city or town, or any person, from any liabilities incurred before the passage of the same, nor be a bar to any action or prosecution heretofore commenced.

[Approved April 15, 1854.]

**Chapter 82.**

An act giving further powers to county commissioners in certain cases.

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

The county commissioners, in their several counties, shall have the same power to examine and correct bills of cost duly certified, and returned to them by justices of the peace and judges of municipal and police courts, in cases where search

Powers of county commissioners to correct certain bills of costs.