

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115-

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1870.

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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:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1870.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1870.

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**CHAP. 114.****Chapter 114.**

An act to amend chapter ninety-four of the revised statutes, concerning forcible entry and detainer.

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

R. S., chap. 94,  
amended.  
Declaration in  
case of forcible en-  
try and detainer.

Instead of commencing the process of forcible entry and detainer by complaint and warrant, it shall hereafter be commenced by inserting the substance of the complaint as a declaration in a writ of attachment which shall be served like other writs.

Approved March 9, 1870.

**Chapter 115.**

An act to amend section sixty-five, chapter four of the revised statutes, relating to penalty for illegal voting.

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

R. S., chap. 4,  
sect. 65, relating  
to penalty for  
illegal voting,  
amended.

SECT. 1. Section sixty-five of chapter four of the revised statutes, is hereby amended, by inserting after the word "county" the words 'or municipal,' so that the section, as amended, shall read as follows:

'Sect. 65. If a person at an election of state and county or municipal officers, or of electors of president and vice president, knowingly votes in any city, town or plantation where he has no legal right to vote, he shall be punished by imprisonment in the county jail not less than three months nor more than one year.'

SECT. 2. This act shall take effect when approved.

Approved March 9, 1870.

**Chapter 116.**

An act to amend section one of chapter twenty-five of the public laws of one thousand eight hundred and sixty-nine, relative to the sale of milk.

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

Public laws 1869,  
chap. 25, sect. 1,  
amended.

Section one, chapter twenty-five of the public laws of eighteen hundred and sixty-nine, is hereby amended, by striking out the word "may" after the word "towns" in the second line of said section, and inserting the words 'shall, upon the application of ten legal voters in such city or town,' so that said section when amended shall read as follows:

'SECT. 1. The mayor and aldermen of cities and selectmen of towns shall, upon the application of ten legal voters in such city or town, annually appoint one or more persons to be inspectors of milk, *provided* such city or town contains not less than three thousand inhabitants, who shall, before entering upon the discharge of the duties of their office, be sworn. Each inspector shall give notice of his appointment by publishing the same two weeks in a newspaper published in his city or town, or if no newspaper is published therein, by posting up such notice in two or more public places in said town.'

CHAP. 117.

Appointment of inspectors of milk made imperative, upon the application of ten legal voters.

Approved March 9, 1870.

### Chapter 117.

An act to amend chapter one hundred and one of the laws of eighteen hundred and fifty-nine, relating to drainage.

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

SECT. 1. Any person, persons or corporation, having the ownership, possession or right to drain any lands, swamps, meadows, quarries or mines by virtue of the act entitled "an act relating to drainage," approved April second, eighteen hundred and fifty-nine, or by their charter, or other act of the legislature, and having a drain or ditch already constructed for that purpose, shall have the power to improve, deepen and repair from time to time such drain or ditch in such a manner as shall be necessary to make it effective, and shall have the right to remove and use any rock, earth or other material which shall be necessary in making such improvements, and to enter upon the lands through which such drain or ditch passes for that purpose.

Public laws 1859, chap. 101, relating to drainage, amended.

SECT. 2. All damages sustained by any person by reason of such improvement, the value of the royalty or stumpage on the rock, and of the other material removed and used, may be recovered against the person, persons or corporation taking said rock, earth or other material, in an action on the case, or upon application to the county commissioners at the election of the party injured; and in case he shall elect the latter, the same proceedings shall be had for the purpose of ascertaining such damage, and to recover the same, as are now provided in estimating damages by a jury in case of laying out public highways.

Damages, how recovered.

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

Approved March 10, 1870.