

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1872.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 26, 1840, and March 16, 1842.

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1872.

PUBLIC LAWS
OF THE
STATE OF MAINE.
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said court for the trial of civil or criminal causes, to order for good and sufficient reasons shown, on motion of either party, the transfer of any civil action or actions, or criminal case now pending, or hereafter to be brought in said court to the docket of said court in any other county in this state for trial.

SECT. 2. All attachments in said actions shall remain in full force.

Approved February 27, 1872.

CHAP. 46.

criminal cases in certain contingencies.

Not to affect attachments.

Chapter 46.

An act to amend section fifty-three of chapter eighteen of the revised statutes, relating to appeal from the decision of municipal officers.

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

Section fifty-three of chapter eighteen of the revised statutes is hereby amended by striking out all after the word "and" in the fifth line, and inserting the words, 'any person aggrieved by said assessment of damages, on petition to the county commissioners may have them assessed in the manner provided respecting highways,' so that the same shall read when amended, as follows :

R. S., chap. 18, sect. 53, relating to recovery for damages received by the raising or lowering of a way or street, amended.

'Sect. 53. When a way or street is raised or lowered by a surveyor or person duly authorized, to the injury of an owner of land adjoining, he may, within a year, apply in writing to the municipal officers, and they shall view such way or street, and assess the damages, if any occasioned thereby, to be paid by the town, and any person aggrieved by said assessment of damages, on petition to the county commissioners, may have them assessed in the manner provided respecting highways.'

As amended.

Approved February 27, 1872.

Chapter 47.

An act to amend section three, chapter sixty-six, of the revised statutes, relating to insolvent estates.

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

SECT. 1. Section three of chapter sixty-six of the revised statutes is hereby amended by inserting in the seventh line of said section, after the word "claim," the words 'within two years from the time of their appointment,' so that as amended it shall read as follows :

R. S., chap. 66, sect. 3, relating to commissioners of insolvent estates, amended.

CHAP. 48.

As amended.

'Sect. 3. When an estate appears to be insufficient to pay the debts of the fifth class, on representation thereof by the administrator, to him, the judge of probate is to appoint two or more commissioners to receive and decide upon all claims against the estate except those of the administrator. They are to be first sworn, and are to make report to the court of all claims presented and of their disposition, with the sum allowed on each claim, within two years from the time of their appointment. But the judge may, for sufficient cause, revoke such appointment and issue a new commission, or proceed otherwise, as the case may require.'

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

Approved February 27, 1872.

Chapter 48.

An act to amend section thirty of chapter twelve of the revised statutes, relating to the repair of meeting-houses.

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

R. S., chap. 12,
sect. 30, relating
to repair of
meeting-houses,
amended.

Section thirty of chapter twelve of the revised statutes is hereby amended by adding the words, 'but the provisions of this section shall not apply to any case where the repairs decided to be made are only such as may be necessary to keep such meeting-house in a tenatable condition,' so that said section as amended shall read as follows :

Proprietors dis-
senting, entitled
to appraised
value of their
interest.

'SECT. 30. When it is decided to repair, remodel or rebuild a meeting-house, any owner or proprietor dissenting from the action of a majority and declining to take any interest in the house as altered, may demand and receive of such majority the appraised value of his interest, after deducting his proportion of debts against the property, to be recovered in an action for money had and received ; which shall not be commenced till thirty days after such demand, nor after the lapse of a year after notice is posted three successive weeks on the meeting-house door and some other conspicuous place in its precinct, stating the persons to whom the money is to be paid, the amount to each, and the time limited for payment. If said sums are not demanded within said time, it is forfeited to the majority for parish uses. But the provisions of this section shall not apply to any case where the repairs decided to be made are only such as may be necessary to keep such meeting-house in a tenatable condition.'

Limitation.

Approved February 27, 1872.