

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

331

OF THE

FIFTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1873.

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1873.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1873.

Chapter 143.

An act to amend chapter twelve, section four, of the revised statutes, relating to parish and other religious meetings.

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

Section four of chapter twelve of the revised statutes, is hereby amended by adding after the word "assessors," in the second line, the words 'or clerk,' so that the first clause of said section shall read as follows : Amendment.

'SECT. 4. The annual or other meetings of such parish may be called by its assessors, or clerk, to be held at the time and place in the town where they are usually held.'
Meetings, how called.

Approved February 26, 1873.

Chapter 144.

An act to extend the right of towns and school districts in certain cases.

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

SECT. 1. That any town or school district which by its town or district officers or by a committee have designated, located and described a lot upon which to erect, move or repair a school-house, and from any mistake or omission have so far failed to comply with the statutes as to render such location invalid, may upon application to the selectmen of said town, have the lot so designated or described re-appraised by the selectmen of said town upon petition of three legal voters and tax-payers of said district in which such location has been or attempted to be made as provided by statute. School-house lots, location of, re-established and made valid.

SECT. 2. The selectmen of any town to whom application has been made in writing, to appraise a lot as provided in section one, shall forthwith give not less than seven nor more than twenty days' notice, to the clerk of said district and to the owner of such real estate, or the person or persons having the same in charge, of the time and place by them fixed for such hearing, and shall after examination and hearing of all interested, appraise the lot as set out and affix a fair value upon the same exclusive of all improvements made by said district or town, either by buildings or otherwise; and shall as soon as practicable, notify the district clerk, and the person or persons interested in said estate, who were notified as provided in this section, of the sum at which said lot has been appraised. Notice of appraisal and hearing to be given.

CHAP. 145.

Sum, how assessed and collected.

—tendered and in hands of owners of land, to be allowed in payment.

Owners of land may appeal.

Improvements to inure to town or district.

Legality of school house tax not affected by error in location of lot.

SECT. 3. The sum fixed as the value of said lot shall be assessed, collected and paid over as provided in chapter eleven, section twenty-four of the revised statutes.

SECT. 4. Any sum which has been tendered and is in the hands or under the control of the persons owning or having charge of such land, shall be allowed in payment of said appraisal under this act.

SECT. 5. In case the district or persons owning or having charge of the land on which such location is made, are dissatisfied with such appraisal, may within ten days take an appeal to the county commissioners of the county in which the land lies, by filing a copy of the proceedings with the claim of an appeal with the commissioners of the county, and the determination of a majority of said commissioners not residents of the district in which said location is made, shall be final.

SECT. 6. When any school district or town shall have erected or moved upon such lot or shall have in any way improved the same, such improvement shall inure solely to the benefit of such town or district, and the same may be as completely occupied and controlled by such town or district as they would have if such location had been in strict conformity to the statutes.

SECT. 7. The legality of a tax assessed to build, repair or remove a school-house and to pay for a lot, shall not be affected by any mistake or error in designation or location of a lot.

Approved January 26, 1873.

Chapter 145.

An act to amend section eighty-seven of chapter eighty-two of the revised statutes, relating to evidence.

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

Amendment.

Section eighty-seven of chapter eighty-two of the revised statutes, is hereby amended, by striking out the words "or after" in the fourth line of the second paragraph of said section, and adding to said section the following words, 'and any such representative party or heir of a deceased party may testify to any fact, legally admissible upon general rules of evidence, happening after the decease of the testator, intestate or ancestor; and in reference to such matters the adverse party may testify,' so that the same shall read when amended as follows:

Administrators may testify to facts happening

'*Second.* In all cases in which an executor, administrator or other legal representative of a deceased person is a party, such