

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

FIFTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1874.

---

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

---

AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1874.

---

PUBLIC LAWS

OF THE

STATE OF MAINE.

1874.

---

**Chapter 244.****CHAP. 244.**

An act to amend chapter forty-four of the general laws of eighteen hundred seventy-two, relating to lands in unincorporated places

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

The first section of chapter forty-four of the public laws of eighteen hundred and seventy-two is hereby amended by striking out in the second line thereof, the words "of section forty-six," and by inserting in the third line thereof, after the word "statutes," the words 'of eighteen hundred and fifty-seven and eighteen hundred and seventy-one,' and by inserting after the word "state" in the fourth line, the words 'or county,' also by inserting after the word "state" in the eighth and eighteenth lines thereof, the words 'or county.'

Sec. 1, ch. 44,  
laws of 1872,  
amendment of.

The second section of said act is hereby amended by striking out in the second line, the words "of section forty-six," and by inserting after the word "statutes" in the third line thereof, the words 'of eighteen hundred and fifty-seven and eighteen hundred and seventy-one,' so that the same shall read when amended as follows :

Sec. 2, amend-  
ment of.

SECT. 1. That in all cases in which lands in unincorporated places have been bid off under the provisions of chapter six of the revised statutes of eighteen hundred and fifty-seven and eighteen hundred and seventy-one, and the purchase money has been paid into the treasury of the state or county, and the purchaser has failed to receive a valid and sufficient title to said lands, the title thereto shall revert in the owner of the fee prior to the forfeiture thereof, or in any person claiming under him by deed or otherwise, upon payment to the treasurer of state or county for the benefit of the purchaser, or any person claiming under him, the amount of the purchase money above named, and all taxes subsequently paid by said purchaser, with twenty per cent. interest thereon from the time of payment, and giving notice in writing, signed by said treasurer, of said payment to the purchaser, his legal representatives or any party claiming under him, which notice may be served by any officer qualified to serve civil precepts, or by any other person who shall make oath to said service, and a copy of said notice, with proof of service, shall be returned into the treasury of state or county. Upon payment of one dollar, the treasurer of state or county shall make and deliver to the party making said payment, a certificate thereof, and of the proof of service returned to him, which shall be conclusive evidence of the facts therein stated in any court of law or equity in this state.

Land sold for  
taxes, when title  
is not valid,  
redemption of.

Notice to be  
given.

—how served.

Certificate of pay-  
ment, conclusive  
evidence.

SECT. 2. This act shall apply only to cases of attempted sales under the provisions of chapter six of the revised statutes of

This act to apply  
only to certain  
cases.

**CHAP. 245.**

Improvements  
made, how recov-  
ered.

eighteen hundred and fifty-seven and eighteen hundred and seventy-one, and any occupant or tenant under such attempted sale, who has made any improvement thereon, shall have the right to recover the same as provided in chapter ninety-three of the revised statutes, and said lands shall be holden for the payment of such improvements.'

Approved March 3, 1874.

**Chapter 245.**

An act to amend chapter one hundred and fifty-one of the public laws of eighteen hundred and sixty-eight, relating to the superior court of Cumberland county.

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

Court may order  
trial by jury in  
certain cases.

Whenever, by accident or mistake, the plaintiff fails to endorse upon his writ at the time of entry a request for a jury trial, or if the defendant, by accident or mistake, shall fail to endorse upon his plea when filed a demand for a jury, the court may, on motion of either party, at its discretion, order a trial by jury in the cause.

Approved March 3, 1874.

**Chapter 246.**

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 :*

Sec. 53, ch. 13, R.  
S., amendment of.

Section fifty-three of chapter eighteen of the revised statutes is hereby amended by inserting after the word "assessed," the words 'by a committee or jury,' so that the same shall read, when amended, as follows :

Damages occa-  
sioned by raising  
or lowering  
streets, how de-  
termined.

'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 by a committee or jury, in the manner provided respecting high-ways.'

Approved March 3, 1874.