

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1876.

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

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AUGUSTA:  
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1876.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.  
1876.

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CHAP. 98. of eighteen hundred and seventy-four, is hereby further amended so as to read as follows :

Injury or damage for defect in highways, how recovered.

‘SECT. 65. If any person receives any bodily injury, or suffers any damage in his property, through any defect or want of repair or sufficient railing in any highway, townway, causeway or bridge, he may recover for the same, in a special action on the case, to be commenced within one year from the date of receiving such injury, or suffering damage, of the county, town or person obliged by law to repair the same, if such county, town or person had reasonable notice of the defect or want of repair; and any person who sustains any injury or damage, as aforesaid, shall notify the county commissioners of such county, the municipal officers, or some one of them, of such town, or person, within sixty days thereafter, by letter or otherwise, in writing, setting forth his claim for damages and specifying the nature of his injuries, the nature and location of the defect which caused such injury. If the life of any person is lost through any such deficiency, his executors or administrators may recover of the parties liable to keep the same in repair, in an action on the case, brought for the benefit of the estate of the deceased, such sum as the jury may deem reasonable as damages, if the parties liable had reasonable notice of the deficiency which caused the loss of life; at the trial of any such action the court may, on motion of either party, order a view of the premises where the defect or want of repair is alleged to have existed when it would materially aid in a clear understanding of the case.’

—notice of, to be given county commissioners and municipal officers.

In case of loss of life, damages, how recovered.

Court may order a view of the premises.

Notice not to affect pending suits.

SECT. 2. The above named notice by the person sustaining injury or damage shall not affect pending suits, nor apply to any injury or damage already sustained.

Approved February 18, 1876.

## Chapter 98.

An act to amend chapter two hundred and thirty-nine of the Public Laws of eighteen hundred and seventy-four, relating to the protection of Game.

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

Woodcock and grouse, for protection of.

SECT. 1. No person shall kill or expose for sale, or have in his or her possession after the same has been killed, any woodcock, or ruffed grouse, commonly called partridge, except during the times and for the purposes hereinafter mentioned, namely: Any person may, for the purpose of consumption as food within this state, lawfully kill, expose for sale or have in possession, any

woodcock, between the first day of September in any year and the first day of December following, both days inclusive; or any ruffed grouse between the first day September in any year and the first day of December following, both days inclusive.

SECT. 2. No person shall kill or expose for sale, or have in possession, except alive, at any time, any woodcock or ruffed grouse with the intention of sending or transporting, or of having the same sent or transported beyond the limits of this state, under a penalty of not less than five nor more than ten dollars for each woodcock or ruffed grouse thus killed, exposed for sale, or had in possession.

Woodcock and grouse, penalty for killing of, &c.

SECT. 3. Section one of chapter two hundred and thirty-nine of the public laws of eighteen hundred and seventy-four, is hereby amended by striking out all of said section after the words "Section one," and inserting in the place thereof the following words, viz:

Sec. 1 ch. 239, laws of 1874, amended.

'No person shall kill or have in his possession except alive, or expose for sale any wood-duck, English snipe or woodcock between the first day of December and the first day of September following; or kill any ruffed grouse commonly called partridge, between the first day of December and the first day of September following, or have the same in possession except alive, or expose for sale between the fifth day of December and first day of September following; or kill, sell or have in possession except alive, any quail or pinnated grouse commonly called Prairie chicken, between the first day of January and the first day of September following, under a penalty of not less than five nor more than ten dollars for each bird so killed, or had in possession, or exposed for sale.'

Penalty for killing wood-duck, snipe, &c.

—partridge.

—quail or prairie chicken.

SECT. 4. Sections four and five of chapter two hundred and thirty-nine of the public laws of eighteen hundred and seventy-four, are hereby made applicable to this act, the same as they would have been, had the preceding sections of this act been incorporated in said act of eighteen hundred and seventy-four, between the sections therein numbered four and five.

Secs. 4 and 5, ch. 239, laws of 1874, applicable to this act.