

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1877.

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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 :

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1877.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.  
1877.

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## Chapter 206.

## CHAP. 206

An act to amend section sixty-five of chapter eighteen of the Revised Statutes, relating to damage on ways, as amended by chapter two hundred and fifteen of Public Laws of eighteen hundred and seventy-four, and chapter ninety-seven of Public Laws of eighteen hundred and seventy-six.

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

SECT. 1. Section sixty-five of chapter eighteen of the revised statutes, relating to damages on ways, as amended by chapter two hundred and fifteen of the public laws of eighteen hundred and seventy-four, and chapter ninety-seven of the public laws of eighteen hundred and seventy-six, is hereby further amended, so as to read as follows :

Sec 66, ch. 18,  
R. S., amended.

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 or town obliged by law to repair the same, if the commissioners of such county or the municipal officers, highway surveyors or road commissioners of such town had twenty-four hours' actual 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, within fourteen days thereafter, by letter or otherwise, in writing, setting forth his claim for damages and specifying the nature of his injuries and 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 such county or town 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 said 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.'

Persons injured  
by defect in high-  
ways may recover  
damages.

Person injured,  
shall notify co-  
commissioners or  
municipal officers

Loss of life, dam-  
ages, how recover-  
ed.

Views of premises  
may be ordered.

SECT. 2. This act shall not affect suits now pending nor rights of action already accrued.

Not to effect  
pending suits.