

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1879.

Published by the Secretary of State, agreeably to Resolves of June 28,
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1879.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1879.

hundred dollars, exclusive of interest, in any case arising in his county, or is absent or unable to perform his duties, and no judge interchanges services or performs the duties of such interested judge, or if there is a vacancy in the office in any county, the duties shall be performed in the same county by the judge of any other county designated by the register, from time to time as necessity or convenience may require.

SECT. 26. Chapter seventy-four of the public laws of one thousand eight hundred and seventy-eight, entitled "An Act in relation to the insolvent laws of Maine," except as herein amended or modified, is hereby re-enacted.

SECT. 27. This act shall take effect when approved.

Approved March 3, 1879.

CHAP. 155.

Judge being a party interested to amount of \$100, or unable to perform his duties, and no Judge interchanges services; or if a vacancy exists in any county, duties to be performed by some other Judge designated by the register.

Ch. 74 of public laws of 1878 re-enacted, except as herein amended.

Chapter 155.

An Act to regulate the taking and shooting of pigeons.

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

Whoever wilfully commits any trespass in the towns of Harmony or Hartland, in the county of Somerset, by killing pigeons on, or frightening them from beds made for the purpose of taking them in nets, or otherwise, by firing guns or in any other manner, within one hundred rods of the same, except on lands lawfully occupied by himself, shall pay a fine not exceeding ten dollars; and shall also be liable for the actual damages to the owner or occupant of such beds.

Pigeon beds in Harmony and Hartland—
Protection of.

Fine of \$10.

Approved March 3, 1879.

Chapter 156.

An Act to modify and limit the liability of Towns and Cities, in actions for damages by reason of defects in Highways.

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

SECT. 1. No person shall recover more than two thousand dollars damages against any town or city, in any action on account of injury to his person and property, by reason of any defect or want of repair or sufficient railing, in any highway, townway, causeway or bridge.

\$2000—the highest amount that can be recovered in action against town on account of defective highway.

SECT. 2. No town or city shall be liable to any action for the recovery of damages to any person on foot, on account of snow or

Slippery sidewalk no cause of action.

CHAP. 157. ice, on any sidewalk or cross-walk, nor on account of any slippery condition of any sidewalk or cross-walk.

Person having knowledge of defective highway shall not recover for damages unless he previously notified the municipal officers.

Repealing clause.

SECT. 3. No person shall recover damages of any town or city, in any case, on account of injury to his person and property, by reason of such defect or want of repair, who has notice of the condition of such way previous to the time of the injury, unless he has previously notified the municipal officers of such town or city, or some one of them, of the defective condition of such way.

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 3, 1879.

Chapter 157.

An Act to amend chapter twenty-four of the Revised Statutes, relating to Paupers, their Settlement and Support.

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

Sec. 27 of ch. 24 amended.

Complaint to be made where paupers refuse to go with person appointed to remove them to the town of their settlement.

Judge or justice to cause paupers to be brought before him to answer said complaint.

Complaint may be amended.

Complainant and paupers to be heard.

Finding of the Judge.

Person executing order of judge has same power as sheriff or deputy has in executing warrants in criminal proceedings.

Fees and costs.

SECT. 1. When paupers are sought to be removed to the town of their alleged settlement, under the provisions of section twenty-seven, chapter twenty-four of revised statutes, and the person to whom the order of the overseers is directed requests them to go with him in obedience to said order, and they refuse so to do, or resist the service of such order, the person to whom it is directed may make complaint in writing, by him signed, of the facts aforesaid, to any judge of a police or municipal court or trial justice within the county where said paupers are then domiciled. Said judge or justice shall thereupon, by proper order or process, cause said paupers to be brought forthwith before him by any officer to whom the same is directed, to answer said complaint and show cause why they should not be so removed. The complaint may be amended at any time before judgment thereon, according to the facts. The complainant and the paupers shall be heard by such judge or justice, and if upon such hearing the judge or justice aforesaid finds the town to which such paupers are sought to be removed is liable for their maintenance and support, of all or any of them, he shall issue his order, under his hand and seal, commanding the person to whom it is directed to take the bodies of said paupers and them transport to the town aforesaid, and them deliver to the custody of the overseers of the poor thereof. The person to whom said last named order is directed shall have all the power and authority to execute the same according to the precept thereof, that the sheriff or his deputy now has in executing warrants in criminal proceedings. The fees and costs shall be the same in the foregoing