

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE

1895.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

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1895.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1895.

CHAP. 164

Chapter 164.

An Act to amend section eighty of chapter eighteen of the Revised Statutes, as to notice of Injuries received on Highways.

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

Sec. 80, ch. 18,
R. S.,
amended.

Section eighty of chapter eighteen of the revised statutes is hereby amended by inserting after the word "aforesaid" in lines thirteen and fourteen the words 'or some person in his behalf;' so that said section as amended, shall read as follows :

Persons in-
jured by defect
in highways,
may recover
damages.

‘SECT. 80. Whoever receives any bodily injury, or suffers damage in his property, through any defect or want of repair or sufficient railing, in any highway, town way, causeway or bridge, 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, but not exceeding two thousand dollars in case of a town; and if the sufferer had notice of the condition of such way previous to the time of the injury, he cannot recover of a town unless he has previously notified one of the municipal officers of the defective condition of such way; and any person who sustains injury or damage, as aforesaid, or some person in his behalf, shall within fourteen days thereafter, notify one of the county commissioners of such county, or of the municipal officers of such town, 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 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, when it would materially aid in a clear understanding of the case.’

—limitation.

When sufferer
must give pre-
vious notice.

County com-
missioners or
town officers
must be noti-
fied within
fourteen days.

Loss of life.

—damages for.

—how
recovered.