

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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Published by the Secretary of State, agreeably to Resolves of June 28,  
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PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

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**Chapter 132.**

An Act relating to claims against the estates of Deceased Persons.

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

Section 53 of chapter 64, R. S., amended.

Section fifty-three of chapter sixty-four of the revised statutes is hereby amended by striking out from lines ten, eleven and twelve, the following words: "The claimant may make similar application, and the same proceedings shall, after notice to the other party, be had thereon, if payment is refused, or is not made within thirty days after demand," so that said section as amended, shall read as follows :

Commissioners may be appointed when claims are deemed exorbitant, unjust or illegal.

'Section 53. When one or more claims against the estate of a person deceased, though not insolvent, are deemed by the executor or administrator to be exorbitant, unjust or illegal, on application in writing to the judge of probate, and after notice to the claimants, the judge, if upon hearing, is satisfied that the allegations in said application are true, may appoint two or more commissioners, who shall after being duly sworn, and after notifying the parties as directed in their commission, meet at a convenient time and place, and determine whether any and what amount shall be allowed on each claim, and report to him at such time as he may limit. Sections five, six, seven, eight, twelve, thirteen, fourteen, sixteen and seventeen of chapter sixty-six, apply to such claims, and the proceedings thereon. No action shall be maintained on any claim so committed, unless proved before said commissioners; and their report on all such claims shall be final, saving the right of appeal.'

Approved March 24, 1903.

**Chapter 133.**

An Act to amend Chapter three hundred and seventy-eight of the Public Laws of eighteen hundred and eighty-five, relating to Electric Posts and Wires.

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

Section 2 of chapter 378 of public laws of 1885, amended.

Section 1. Section two of chapter three hundred and seventy-eight of the public laws of eighteen hundred and eighty-five is hereby amended by adding thereto the following: 'Posts and wires erected and maintained in accordance with the provisions of this chapter shall be deemed legal structures and the party maintaining the same shall be liable on account thereof only for

carelessness or negligence in the erection or maintenance of the same,' so that said section as amended, shall read as follows:

'Section 2. No such company, person or association shall construct lines upon and along the highways and public roads of any city or town, without first obtaining a written permit, signed by the mayor and aldermen, or selectmen, specifying where the posts may be located, the kind of posts, and the height at which and the places where the wires may be run. Before granting such permit, fourteen days' public notice thereof shall be given, and residents and owners of property upon the highways to be affected thereby, shall have full opportunity to show cause why such permit should not be granted. Such public notice shall be given by publication in some newspaper printed in such city or town, if any, the last publication to be fourteen days before said hearing; if no newspaper is printed therein, then by posting the same in some public and conspicuous place therein fourteen days before said hearing; when the application for such permit is filed, the mayor or chairman of the selectmen shall indorse thereon what personal notice, if any, shall be given by such company, persons or associations, to the residents and owners of property to be affected thereby. At the hearing, such company, persons or associations, before proceeding, shall first prove that such order of notice has been complied with and public notice given as hereinbefore required, and the adjudication of the mayor and aldermen, or selectmen, that such personal and public notice has been given shall be final and conclusive. If from any cause the notice given appears to have been defective, the municipal officers may order new notice, not exceeding seven days, and adjourn said hearing to time named in said new order of notice. After the erection of the lines, having first given such company, persons, associations or their agents opportunity to be heard, the municipal officers may direct any alteration in the location or erection of such posts, and in the height of the wires. Such permits, specifications and decisions shall be recorded in the records of the city or town. Posts and wires erected and maintained in accordance with the provisions of this chapter shall be deemed legal structures and the party maintaining the same shall be liable on account thereof only for carelessness or negligence in the erection or maintenance of the same.'

Section 2. Section eight of chapter three hundred and seventy-eight of the public laws of eighteen hundred and eighty-five is hereby repealed.

Written permit must be obtained from mayor and aldermen or selectmen.

-14 days' notice shall be given before granting permit.

-notice, how given.

-hearing.

-new notice, how given.

-alteration in location may be directed.

Section 8 of chapter 378, public laws of 1885, repealed.