

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty - Third Legislature

OF THE

STATE OF MAINE

1927

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-third Legislature

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make and sign warrants, writs, executions and all other papers, civil and criminal, pertaining to said court and shall have all the usual powers and duties of recorders and clerks of municipal and police courts, but nothing herein shall curtail or abridge the powers of the judge of said municipal court or of the trial justices which may be appointed to exercise the powers of said judge in case said judge is unable to act.

Sec. 2. R. S., c. 117, sec. 40; salary of clerk of courts of Waldo county, increased. That part of section forty of chapter one hundred seventeen of the revised statutes, which relates to the clerk of courts of Waldo county, is hereby amended so that the same shall read as follows:

'Waldo, fourteen hundred dollars.'

Approved April 11, 1927.

Chapter 121.

An Act Relating to State Highways.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 25, sec. 29; relating to liability of state for damages for defects in state and state aid highways, amended. Section twenty-nine of chapter twenty-five of the revised statutes is hereby amended by adding after the word "county" in the third line thereof, the words 'and for reasonable attorney fees, costs and expense incurred in defending such action,' so that said section, as amended, shall read as follows:

'**Sec. 29. State liable for attorney fees, costs and expense in defending action.** The state shall be liable to towns and counties for any judgment recovered in any action against such town or county and for reasonable attorney fees, costs and expense incurred in defending such action under the provisions of sections ninety-two to ninety-six, both inclusive, of chapter twenty-four, but only when pertaining to those state and state aid highways to the improvement of which the state has contributed; or to which sections eight or seventeen may apply; provided, however, that within twenty-four hours after any of the various officials mentioned in said section ninety-two first has notice of such defect or want of repair or sufficient railing such officials shall give written notice thereof to some member of the commission; provided also that within ten days after any of the various officials mentioned in said section ninety-two first has notice of any injury to any person such officials shall give written notice thereof to some member of the commission; provided also, that the state shall not be liable for any injury sustained upon the sidewalk of any such state

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or state aid highway or sustained during the construction of such state or state aid highway within its limits; provided also, that the state shall not be liable for any injury under this section in an amount exceeding four thousand dollars; provided also that any sums recoverable under section ninety-seven of chapter twenty-four shall be deducted from the judgment against such town or county in determining the liability of the state under this section. The commission may appear and take upon itself the defense of any action affecting the liability of the state under this section.'

Approved April 11, 1927.

Chapter 122.

An Act to Amend Section Ninety-two of Chapter Two Hundred Eleven of the Public Laws of Nineteen Hundred Twenty-one Relative to Disposition of Motor Vehicle Fees.

Be it enacted by the People of the State of Maine, as follows:

P. L., 1921, c. 211, sec. 92; relating to appropriations of motor vehicle fees, amended. Section ninety-two of chapter two hundred eleven of the public laws of nineteen hundred twenty-one is hereby amended by inserting after the word "state" in the eighth line of said section, the words 'and state,' so that said section as amended shall read as follows:

'Sec. 92. Moneys collected to be used for repair and maintenance of state highways. All fees and moneys received by the secretary under the preceding sections shall be turned over to the treasurer of state as provided in section twenty-six of this act and shall be appropriated and used for the administration of the office and duties of the commission as provided by general law, including the expenses of administering the motor vehicle department and the licensing of operators and registration of vehicles, and for the repair and maintenance of state and state aid highways under the direction of the commission and to meet all provisions of the bond issues for highway construction as heretofore provided by statute.'

Approved April 11, 1927.

Chapter 123.

An Act Relating to School Moneys of Tribe of Indians of Old Town Island.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 14, sec. 26; relating to expenditure of school moneys of Penobscot tribe of Indians, amended. Section twenty-six of chapter fourteen