

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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Published by the Secretary of State, in accordance with the Resolves of the Legislature  
approved June 28, 1820, March 18, 1840, and March 16, 1842.

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KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

1929

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Eighty-fourth Legislature

**1929**

[supplied from page 1 of volume]

## Chapter 314.

An Act Relative to Appeals From Trial Justices and Municipal Courts.

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

**Sec. 1.** R. S., c. 88, sec. 18; relating to appeals from trial justices and municipal courts, amended. Section eighteen of chapter eighty-eight of the revised statutes is hereby amended by inserting after the word "included" in the fourth line thereof the words "The appellant shall, within five days after judgment, Sunday not included, pay to the clerk the required fees for such appeal, including the entry fee in and cost of forwarding such appeal to the appellate court" and by striking out the words "and the case shall be entered and determined in the appellate court," in the fourth and fifth lines of said section and by inserting in place thereof the words 'and the clerk shall enter the appeal in the appellate court where it shall be determined as a new entry,' so that said section, as amended, shall read as follows:

'**Sec. 18.** Appellant shall within five days pay clerk required fees; clerk shall enter appeal. Any party aggrieved by the judgment of the justice, may appeal to the next supreme judicial or superior court in the same county, and may enter such appeal at any time within five days after the judgment, Sunday not included. The appellant shall within five days after judgment, Sunday not included, pay to the clerk the required fees for such appeal, including the entry fee in and cost of forwarding such appeal to the appellate court; and in that case no execution shall issue, and the clerk shall enter the appeal in the appellate court, where it shall be determined as a new entry.'

**Sec. 2.** R. S., c. 88, sec. 19; relating to appellant's recognizance, amended. Section nineteen of said chapter eighty-eight is amended by striking out at the beginning of said section the words "Before such appeal is allowed, the appellant shall recognize with sufficient surety or sureties to the adverse party, if required by him," and by inserting in place thereof the words 'If so requested by the adverse party, the appellant shall within one week after notice of such request, Sunday not included, or within such further time as may be allowed by the court, recognize to such adverse party,' so that said section, as amended, shall read as follows:

'**Sec. 19.** Appellant shall recognize to adverse party if required. If so requested by the adverse party, the appellant shall within one week after notice of such request, Sunday not included, or within such further time as may be allowed by the court, recognize to such adverse party in a reasonable sum, with condition to prosecute his appeal with effect, and pay all costs arising after the appeal.'

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Sec. 3. R. S., c. 88, sec. 19 and sec. 20; relating to recognizance and appeal without trial, renumbered. Section twenty of said chapter eighty-eight is hereby renumbered nineteen and section nineteen of said chapter eighty-eight is hereby renumbered twenty.

Sec. 4. R. S., c. 88, sec. 21; relating to on appeal copies and papers shall be produced, amended. Section twenty-one of said chapter eighty-eight is hereby amended by striking out the whole of said section and by substituting in place thereof the following:

'Sec. 21. Filing of evidence in appellate court. When such appeal is completed, the clerk shall file in the appellate court, the originals of all depositions and other written evidence or documents, and a copy of the record and all papers filed in the cause.'

Sec. 5. Renumbering of sections. The new section herein enacted is numbered twenty-one and the subsequent sections of said chapter are renumbered to follow said new section twenty-one.

Approved April 13, 1929.

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## Chapter 315.

An Act Relative to Malicious Injuries to Certain Public Property.

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

R. S., c. 129, sec. 4; P. L., 1917, c. 128; R. S., c. 129, sec. 10; P. L., 1917, c. 127; P. L., 1923, c. 18; relating to malicious mischief and trespasses, further amended. Section four of chapter one hundred and twenty-nine of the revised statutes, as amended by chapter one hundred and twenty-eight of the public laws of nineteen hundred and seventeen, and section ten of chapter one hundred and twenty-nine of the revised statutes, as amended by section one hundred and twenty-seven of the public laws of nineteen hundred and seventeen, as amended by chapter eighteen of the public laws of nineteen hundred and twenty-three, are hereby further amended by section one hundred and twenty-seven of the public laws of by substituting in place thereof the following section bearing the number 'four':

'Sec. 4. Wilful or malicious destruction of public property; penalty. Whoever wilfully or maliciously destroys, injures or removes any public building, armory, breast work, trench, fortification, wharf, pier or dock; or any property, pipe line, reservoir, structure, or apparatus used in supplying water to the public or to any portion thereof; or any dam, reservoir, fishway, fish screen, canal, trench or their appurtenances; or the gear or machinery of a mill or manufactory; or draws off the water from a mill