

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth Legislature

OF THE

STATE OF MAINE

From April 4, 1931, to March 31, 1933

AND MISCELLANEOUS STATE PAPERS

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-sixth Legislature

1933

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CHAP. 103

'Sec. 243. Special reserve fund created; how expended. There shall be a reserve fund, to consist of gifts and receipts from sources other than those herein specified, ~~returns to the state of its contributions to the annuity funds as hereinbefore provided~~, and balances that may accrue on account of interest, savings, or otherwise, which fund shall be maintained and used, in the discretion of the retirement board, for unforeseen contingencies, expenses of administration, or any other purpose within the scope of the retirement system.'

'Sec. 244. General reserve fund; how administered. All moneys paid into the retirement board under paragraph 1 of section 234 ~~and all sums deducted from the state school fund under the provisions of paragraph three of said section~~ not otherwise expended shall be set aside and administered as a reserve fund wherewith to meet accrued liabilities for retiring and disability allowances as hereinbefore provided. Said fund shall be in all respects subject to the provisions of sections 228 to 248, inclusive, and to the rules and regulations of the retirement board authorized in respect to custody, investment, audit, and disbursement.'

Sec. 2. State's contribution to date placed in reserve fund. All contributions of the state to the teachers' retirement fund up to the effective date of this act shall be placed in the general reserve fund.

Approved March 20, 1933.

Chapter 103.

AN ACT to Amend Eminent Domain Statute.

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

R. S., c. 69, § 12, amended. Section 12 of chapter 69 of the revised statutes is hereby amended to read as follows:

'Sec. 12. Proceedings before entry; location and map to be filed with county commissioners; description may be corrected. All property so taken shall, before it is entered upon for any purpose except to make surveys, be located by a description, signed by the party taking, which shall describe in detail the property taken, and give the names of the owners thereof and shall be accompanied by a map showing said property as described. Such location and map shall be filed with the county commissioners of the county where the property is located, who shall indorse the time of filing thereon and order the location recorded. A copy of said location shall be recorded in the registry of deeds of the county or registry district where the property is located. When there is a recorded mortgage covering any portion of the land so taken which mortgage has been re-

corded within forty years of the taking, and bears no record of discharge, satisfaction, or release, personal notice shall be given forthwith to the owner of record of said mortgage by sending to said mortgage holder's place of abode, if known, otherwise to the abode or address as set forth in said record, by registered mail, a written or a printed notice of said taking in which shall be set forth a description of the property so taken, and the name of the owner of said property. When for any reason the taker fails to acquire the property authorized to be taken and which is described in such location, or the location recorded is defective or uncertain, the taker may, at any time, correct and perfect such location, and file a new description thereof; and in such case the taker is liable in damages, only for property for which the owner had not previously been paid, to be assessed as of the time of the original taking, and the taker shall not be liable for any acts which would have been justified if the original taking had been valid and legal.'

Approved March 20, 1933.

Chapter 104.

AN ACT Relative to State Aid to Academies.

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

R. S., c. 19, § 105, ¶ I, amended. Paragraph I, of section 105, of chapter 19 of the revised statutes is hereby amended to read as follows:

'Sec. 105. State aid to academies. I. Whenever it shall be made to appear to the governor and council, from returns made as herein provided, that any incorporated academy in the state is prepared to give instruction equivalent to that required by law to be given in free high schools, that the pupils attending the said academy are qualified to receive such instruction, and that the teachers in the said academy have the qualifications fitting them to give instruction in secondary school studies, such academy shall be entitled to receive annually from the state a sum not exceeding \$500 in case it maintains an English secondary school course of study as prescribed by the state commissioner of education, or a sum not exceeding \$750 in case it maintains in addition to an English course, a college preparatory course; ~~or a sum not exceeding one thousand dollars in case it maintains an English course, a college preparatory course, and a training course for teachers;~~ provided, that the courses of study herein named shall be subject to the approval of the said commissioner, and provided, that the amount paid by the state to any academy under this subdivision shall be expended by the said academy for instruction during the year for which payment is made, and shall not exceed the total income of the said academy from all