

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842 and Acts approved
August 6, 1930 and April 2, 1931.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1939

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

Chapter 214

AN ACT Relating to Procedure in re Support of Neglected Wives and Children.

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

R. S., c. 74, § 9, amended. The 1st sentence of section 9 of chapter 74 of the revised statutes is hereby amended to read as follows:

‘Whenever a man, having a wife, a minor child, or children, residing in this state, and being of sufficient ability, or being able to labor and provide for them, wilfully and without reasonable cause, refuses or neglects to provide suitable maintenance for them, the superior court, the probate courts, and any municipal court, in term time or any judge or justice of said courts in vacation, in the county where the wife or such minor child or children reside, on petition of the wife for herself and for such child or children, or of such child or children by their guardian, after such notice to the husband or father as it may order, and hearing, may order him to contribute to the support of his wife and such minor child or children or either of them such sums payable weekly, monthly, or quarterly, as are deemed reasonable and just, and may enforce obedience by appropriate decrees.’

Approved April 12, 1939.

Chapter 215

AN ACT Relating to the Taking of Land by the State Highway Commission, and the Taking or Discontinuing of a Public Highway.

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

R. S., c. 28, § 12, amended. Section 12 of chapter 28 of the revised statutes, as amended by chapter 261 of the public laws of 1931, and by chapter 135 of the public laws of 1933, is hereby further amended to read as follows:

‘Sec. 12. Commission may purchase or take lands for highways and materials; procedure; commission may vacate lands taken; governor and council authorized to sell property acquired by purchase. The commission may purchase, take over, and hold for the state as for public use such materials and land as may be necessary to lay out and establish or provide a change of location or alignment of any state or state aid highway as herein designated, or to secure materials, including clay, gravel, sand and rock, with necessary ways and access thereto, for the improvement, construction and maintenance of state and state aid highways under the pro-

visions of this chapter. Whenever the commission determines that public exigency requires the taking of land as aforesaid, it shall cause the same to be surveyed and described and a plan thereof and said description to be recorded in the registry of deeds for the county or registry district where the same is located, and notice thereof shall be given in some newspaper, if any, published wholly or in part in said county. In case there is a mortgage of record covering any of said land, written or printed notice of said taking shall be sent forthwith by registered mail to the holder of record of said mortgage, addressed to his place of abode, if known, otherwise to the abode or address as set forth in said record. If the commission is unable to purchase such material or land with necessary ways and access thereto at what it deems a reasonable valuation, the commission and the county commissioners of the county wherein such material or land is located shall constitute a joint board which shall on petition of the commission or interested parties, meet and ascertain and determine the damages in the same manner as provided for land taken for highway purposes, and all parties aggrieved by the estimate of damage shall have like remedies as provided for appraisal of damages for land taken by towns for highway purposes, and such damages shall be paid by the treasurer of state, from the appropriate funds provided under this chapter. Said board shall fix a time and place for its hearings and give notice thereof as provided for laying out highways. The commission may vacate any land or part thereof or rights in land which have been taken or acquired for highway purposes under the provisions hereof, by executing and recording a deed thereof, and such action shall revert the title to the lands or right so vacated in the persons, their heirs and assigns, in whom it was vested at the time of the taking, and the value at the time of vacation may be pleaded in mitigation of damages in any proceedings therefor on account of such taking. The governor and council on recommendation of the commission may sell and convey on behalf of the state the interests of the state in property taken or acquired by purchase under this section and deemed no longer necessary for the purposes hereof, and the proceeds of such sale shall so far as practicable be credited to the fund from which such purchase was originally made.'

Approved April 12, 1939.

Chapter 216

AN ACT Relative to Trapping Muskrats.

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

R. S., c. 38, § 72, amended. Paragraph (b) of section 72 of chapter 38 of the revised statutes, as revised, is hereby amended to read as follows: