

# MAINE STATE LEGISLATURE

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**ACTS AND RESOLVES**  
AS PASSED BY THE  
**Ninety-second and Ninety-third**  
**Legislatures**  
OF THE  
**STATE OF MAINE**

**From April 22, 1945 to May 14, 1947**  
**AND MISCELLANEOUS STATE PAPERS**  
**From May 25, 1945 to May 14, 1947**

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Published by the Revisor of Statutes in accordance  
with Chapter 10 of the Revised Statutes of 1944.

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AUGUSTA, MAINE  
1947

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

As Passed by the Ninety-third Legislature

**1947**

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## Chapter 218

### AN ACT Relating to Expenses of Town and City Clerks.

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

R. S., c. 80, § 27-A, additional. Chapter 80 of the revised statutes is hereby amended by adding thereto a new section to be numbered 27-A, to read as follows:

'Sec. 27-A. Expenses of town clerks. The reasonable and necessary travelling expenses of clerks of cities and towns and of their employees while attending the annual meeting of the Maine municipal association and the Maine town and city clerks association, certified upon vouchers approved by the municipal officers, shall be paid by the treasurer of the city or town.'

Effective August 13, 1947

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## Chapter 219

### AN ACT Relating to Obstructions of Public Ways.

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

Sec. 1. R. S., c. 84, § 77, amended. Section 77 of chapter 84 of the revised statutes is hereby amended to read as follows:

'Sec. 77. Drainage of public way not to be obstructed. No person by himself, his agents, or servants, other than a person having legal supervision of a public way, shall cultivate, in connection with the improvement of lands adjacent thereto, any portion of the wrought part of any public way, in such manner as to change the drainage thereof or obstruct said way; nor shall any person by himself, his agents, or servants, other than a person having legal supervision of a public way, turn teams, tractors, farm machinery or other equipment upon the wrought portion of a highway in such manner as to change the drainage thereof or obstruct said way; nor shall any person, by himself, his agents, or servants, other than a person having legal supervision of a public way, deposit within or along any ditch or drain in a public way any material that shall obstruct the flow of water in such ditch or drain or otherwise obstruct said way; provided, however, that with the written consent and in accordance with specifications of the legal authorities having supervision of such ditch or drain, any person may, to provide egress and regress to and from lands

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occupied by him, lawfully construct and maintain a bridge across such ditch or drain.'

**Sec. 2. R. S., c. 84, § 78, amended.** The 1st sentence of section 78 of chapter 84 of the revised statutes is hereby amended to read as follows:

'Whoever wilfully violates any provision of the preceding section shall be punished, for the first offense, by a fine of not ~~less more than \$5~~ ~~more than \$10~~ **\$50**, ~~not more than \$10~~ and costs, and for each subsequent offense, by a fine of not ~~less more than \$10~~ ~~more than \$25~~ **\$100**, ~~not more than \$25~~ and costs, and shall be further liable for double the amount of the actual damage, to be recovered in an action on the case by the city, town, or plantation, or, in behalf of any unorganized place, by the county where the offense is committed.'

Effective August 13, 1947

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## Chapter 220

### AN ACT Relating to the Apportionment of Estate Taxes.

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

**Sec. 1. R. S., c. 142, §§ 39-A - 39-E, repealed.** Sections 39-A to 39-E, inclusive, which were added to chapter 142 of the revised statutes by chapter 269 of the public laws of 1945 are hereby repealed.

**Sec. 2. Limitation.** The sections declared to be repealed remain in force for the preservation of all rights and their remedies existing by virtue of such sections; and so far as they apply to any trust, judicial or probate proceeding, right, contract, compromise, limitation, payment or event already affected by them.

Provided further, that no executor, administrator, trustee or other person acting in a fiduciary capacity shall be held personally liable for failure to bring an action under the provisions of chapter 269 or under this repealing act, unless such executor, administrator, trustee or other person acting in a fiduciary capacity, was or shall have been requested to do so in writing by a person interested in the estate and reasonably indemnified against the costs and expenses of such action.

Effective August 13, 1947