

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

1865.

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1865.

FORTY-FOURTH LEGISLATURE.

SENATE.

No. 9.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-FIVE.

AN ACT to amend chapter two hundred and thirty-nine of the public laws of the year eighteen hundred and sixty-four.

Be it enacted by the Sena'e and House of Representatives in Legislature assembled, as follows :

SECTION 1. Section one of chapter two hundred and 2 thirty-nine of the public laws, passed in the year of our 3 Lord one thousand eight hundred and sixty-four, is 4 hereby amended by adding thereto the words following, 5 viz: And if an action is brought against any town 6 on any claim mentioned in this act, any ten or more 7 taxable inhabitants thereof, by leave of the court, may, 8 at the expense of such town, employ counsel to defend 9 it; and if judgment has heretofore been, or hereafter

10 shall be, rendered in any such action, by default or
11 otherwise, any ten or more taxable inhabitants of the
12 defendant's town may petition the court for review of
13 said action in the name of the town, and employ
14 counsel at the expense of the town to prosecute said
15 proceedings in review to final judgment.

SECT. 2. Section two of this chapter shall be
2 amended by adding thereto the words following : And
3 when the proper authorities of any town refuse to
4 institute any suit contemplated by this section on
5 demand by any ten taxable inhabitants thereof, the
6 latter shall have the power to bring such suit in the
7 name and at the expense of the town.

SECT. 3. Town officers shall have no authority over
2 any action or cause of action, or proceeding in review
3 commenced by virtue of this act.

SECT. 4. This act shall take effect upon its
2 approval.

STATE OF MAINE.

IN SENATE, February 10, 1865.

Reported by Mr. VIRGIN, from the Committee on the Judiciary.

THOMAS P. CLEAVES, *Secretary.*