

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1883.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1883.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1883.

Chapter 175.**CHAP. 175**

An Act to amend chapter eighteen of the Revised Statutes relating to the abolishment of sheriffs' juries in road cases.

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

SECT. 1. Section five of chapter eighteen of the revised statutes is hereby amended by striking out the words "present their petitions for redress," and insert instead thereof the words 'file their notices of appeal,' and by striking out the word "petition," in the sixth line, and inserting instead thereof the words 'notice of appeal,' so that said section, as amended, shall read as follows :

Sec. 5, ch 18, R S., amended.

SECT. 5. Their return, made at their next regular session after the hearing, is to be placed on file, and to remain in the custody of their clerk for inspection, without record. The case is then to be continued to their next regular term, when, or before then, all persons aggrieved by their estimate of damages, shall file their notices of appeal. If no such notice of appeal is then presented or pending, the proceedings shall be closed, recorded and become effectual; and all claims for damages not allowed by them be forever barred; and all damages awarded under the first seventeen sections shall be paid out of the county treasury.'

Return, when made, disposition of it.

Notices of appeal, when filed.

SECT. 2. The sixth section of said chapter is hereby amended by striking out the word "petition," in the first line, and inserting instead thereof the words 'notice of appeal.'

Sec. 6, amended.

SECT. 3. The eighth, ninth, tenth, eleventh, twelfth and thirteenth sections of said chapter are hereby repealed.

Secs. 8, 9, 10, 11, 12 and 13, repealed.

SECT. 4. Any person aggrieved by the estimate of damages of the county commissioners, by the laying out or discontinuing of a way, may appeal therefrom, at any time before the third day of the regular term next after the term at which the return of the commissioners is made, to the next term of the supreme judicial court, which shall be first holden in the county where the land is situated, more than thirty days from and after the expiration of the time within which such appeal may be taken as above provided, excluding the day of the commencement of the session of said court, which court shall determine the same by a committee of reference if the parties so agree, or by a verdict of its jury, and shall render judgment and issue execution for the damages recovered with costs

Persons aggrieved by estimate of damages may appeal to S. J. court.

Appeal may be determined by committee of reference, if parties so agree.

CHAP. 176

Appellant shall file notice of appeal with county commissioners.

Costs, how taxed and allowed.

to the party prevailing in the appeal. The appellant shall file notice of his appeal with the county commissioners within the time above limited, and at the first term of the court shall file a complaint setting forth substantially the facts of the case, upon which the case shall be tried as other cases. The clerk shall certify the final judgment of the court to the county commissioners, who shall enter the same of record. The party prevailing shall recover costs to be taxed and allowed by the court, except that the costs shall not be recovered by the party claiming damages, but by the other party, if upon appeal taken as provided in this chapter, by either party, said claimant shall fail to recover and have adjudged to him a greater sum as damages than was allowed to him by the commissioners.

Approved March 7, 1883.

Chapter 176.

An Act in relation to the settlement of persons living in unincorporated places.

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

Pauper settlement of persons living in unincorporated places.

Whenever any person, having a pauper settlement in a town, has lived or shall have lived five years in any unincorporated place or places in the state, such person, and those who derive their settlement from him, shall be deemed to have lost their settlement in such town.

Approved March 7, 1883.

Chapter 177.

An Act establishing the salaries of the Judge of Probate and Register of Probate in the county of Piscataquis

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

Salary of judge of probate for Piscataquis Co. established.

SECT. 1. From and after the first day of January, in the year one thousand eight hundred and eighty-three, the salary of the judge of probate of the county of Piscataquis shall be