

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 28

S. P. 35

In Senate, January 9, 1963

Referred to the Committee on Judiciary, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Farris of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT to Clarify the Apportionment of Surveyors' Fees in Certain Cases.

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

R. S., c. 172, § 47, amended. The 2nd sentence of section 47 of chapter 172 of the Revised Statutes, as amended by section 568 of chapter 317 of the public laws of 1961, is further amended to read as follows:

~~‘If After notice to all parties and a hearing held thereon, if the court is of the opinion that the whole or any part or portion of such fees and expenses should be paid by the parties to the action, or by either of such parties, then the court may fix and determine the amount to be paid by such parties, or by either of such parties, and the parties shall be liable to the surveyor in a civil action for the amount to be paid by them jointly, and each of the parties shall likewise be liable to the surveyor in the same kind of an action for the amount to be severally paid and the amount determined to be due from such parties, or by either of such parties, shall have the force and effect of a judgment in favor of the surveyor against such parties or either of such parties and any execution upon such judgment may run against the body of such party or of either of such parties.’~~