

# MAINE STATE LEGISLATURE

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# FORTY-NINTH LEGISLATURE.

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HOUSE.

No. 117.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

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AN ACT to amend section one of chapter eighty-seven of the public laws of eighteen hundred sixty-two, relating to appeals from decision of county commissioners.

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

SECTION 1. Section one of chapter eighty-seven of  
2 the public laws of eighteen hundred sixty-two is hereby  
3 amended so as to read as follows : If the judgment of  
4 the commissioners in favor of laying out or altering a  
5 way as prayed for is wholly reversed on an appeal,  
6 they shall proceed no further ; and in all cases when  
7 the judgment of the commissioner shall be reversed on  
8 appeal, no petition praying for substantially the same  
9 thing shall be entertained by them for two years there-  
10 after. If their judgment is affirmed in whole or in

11 part they shall carry into effect the judgment of the  
12 appellate court; and in all cases they shall carry into  
13 full effect the judgment of the appellate court in the  
14 same manner as if made by themselves, and the party  
15 appealing or prosecuting shall pay the costs incurred  
16 since the appeal, if so adjudged by the appellate court,  
17 which may allow costs in such cases to the prevailing  
18 party, to be paid out of the county treasury. The com-  
19 pensation of the committee to be paid the same as  
20 commissioners would have for like services to be  
21 allowed by the court. The costs allowed the prevail-  
22 ing party and the fees of the committee are to be col-  
23 lected as provided in section three.

SECT. 2. This act shall take effect on approval.

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES, }  
March 4, 1870. }

Amendment "A" presented by Mr. BARKER, and ordered  
printed.

S. J. CHADBOURNE, *Clerk.*