

MAINE STATE LEGISLATURE

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Sixty - Third Legislature.

HOUSE.

No. 140.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-SEVEN.

AN ACT to amend section five of chapter eighteen
of the Revised Statutes, relating to Location of
Highways.

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

SECTION 1. Section five of chapter eighteen of
2 the Revised Statutes is hereby amended in line four
3 by striking out the words "when or before" and
4 substituting therefor the words 'and at any time
5 on or before the third day thereof, if no appeal from
6 the location be taken,' and adding at the end of
7 said section the words following: 'But if an appeal
8 from the location be taken in accordance with sec-

9 tion forty-eight, then notice of appeal on damages
10 may be filed with the clerk of the county commis-
11 sioners within sixty days after the final decision of
12 the appellate court in favor of such way has been
13 certified to him, to the supreme judicial court in
14 the county first held in the county where the land
15 is situated more than thirty days after such notice
16 of appeal is filed, which court shall determine the
17 same in the same manner as is provided in section
18 eight as amended by the Public Laws of eighteen
19 hundred and eighty-five, chapter three hundred and
20 fifty-nine, section three, when no appeal on location
21 is taken' so that said section as amended shall read
22 as follows:

'SECT. 5. Their return, made at their next regular
24 session after the hearing, shall be placed on file,
25 and remain the custody of their clerk for inspection
26 without record. The case shall be continued to
27 their next regular term, and at any time on or before
28 the third day thereof, if no appeal from the location
29 be taken, all persons aggrieved by their estimate of
30 damages shall file their notice of appeal. If no
31 such notice is then presented or pending, the pro-
32 ceedings shall then be closed, recorded, and become
33 effectual; all claims for damages not allowed by
34 them be forever barred; and all damages awarded

35 under the first thirteen sections of this chapter,
36 paid out of the county treasury. But if an appeal
37 from the location be taken in accordance with sec-
38 tion forty-eight, then notice of appeal on damages
39 may be filed with the clerk of the county commis-
40 sioners within sixty days after the final decision of
41 the appellate court in favor of such way, has been
42 certified to him, to the supreme judicial court in
43 the county, first held in the county where the land
44 is situated, more than thirty days after such notice
45 of appeal is filed, which court shall determine the
46 same in the same manner as is provided in section
47 eight as amended by the Public Laws of eighteen
48 hundred and eighty-five, chapter three hundred and
49 fifty-nine, section three, when no appeal on location
50 is taken.'

SECT. 2. Section forty-seven of chapter eighteen
2 of the Revised Statutes, is hereby repealed.

SECT. 3. This act shall take effect when ap-
2 proved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES. }
February 18, 1887. }

Reported from Committee on Legal Affairs by Mr. FOGG of Portland;
ordered printed under joint rule.

NICHOLAS FESSENDEN, *Clerk.*