

MAINE STATE LEGISLATURE

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Sixty-Sixth Legislature.

SENATE.

No. 14.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-THREE.

AN ACT additional to Chapter Eighteen of the Revised
Statutes relating to Ways in places not incorporated.

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

SECTION 1. County Commissioners may, on petition of
2 persons interested, lay out, alter, and discontinue a pri-
3 vate way over any tract of land in their county, not
4 within any town or plantation duly organized and having
5 municipal officers, for the hauling of supplies, wood, logs,
6 and lumber; to be used only for lumbering purposes;
7 the same to be opened by and at the expense of the peti-
8 tioners. If they are of the opinion that there ought to
9 be a hearing, they shall cause a notice of the time and
10 place appointed therefor by service of an attested copy

11 of such petition with their order thereon, upon one or
12 more of the record owners thereof ten days at least
13 before that time, which hearing may be continued to any
14 other time and place convenient to the parties interested.

SECT. 2. When so laid out they shall state in their
2 return the purposes for which it is laid out and shall order
3 the persons for whose accommodation it is laid to pay into
4 the county treasury an amount equal to the damages and
5 expenses of such location for the benefit of the owners of
6 the land over which it is laid; and it shall not be accepted
7 by said commissioners until such amount is paid.

SECT. 3. Their return made at an adjourned session,
2 or their next regular term after the hearing shall be
3 placed on file and remain in the custody of the Clerk for
4 inspection. He shall cause a copy thereof to be served
5 upon one or more of the owners of such tract of land at
6 least ten days before the time of such adjournment of
7 such session or the next regular session. The case shall
8 be continued to an adjourned session or to their next
9 regular term and at any time on or before the third day
10 thereof, if no appeal from such location is taken, all per-
11 sons aggrieved by their estimate of damages shall file a
12 notice of appeal. If no such notice is then presented or
13 pending the proceedings shall be closed, recorded and
14 become effectual, and all claims for damages not allowed
15 by them shall be forever barred.

SECT. 4. Appeals in such cases so far as applicable
2 may be taken and prosecuted as provided in sections

3 forty-four and forty-seven, chapter eighteen, Revised
4 Statutes, but the petitioner, on giving a bond to the land-
5 owners, with sufficient sureties, and in such amount as
6 the county commissioners shall approve and determine,
7 conditioned to abide the result of such appeal, may go on
8 and open and use the road as laid out by said commis-
9 sioners.

SECT. 5. No county shall be liable for damages to any
2 person traveling on such way.

STATE OF MAINE.

IN SENATE, February 1, 1893.

Reported by Mr. MAYO from Committee on the Judiciary, and laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*