

# MAINE STATE LEGISLATURE

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# Sixty-Eighth Legislature.

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HOUSE.

No. 252.

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## STATE OF MAINE.

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

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AN ACT to amend sections six (6) and nine (9) of chapter  
eighteen (18) of the Revised Statutes relating to Ways.

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

Section 1. Section six (6) of chapter eighteen (18) of the  
2 Revised Statutes is hereby amended by adding at the end  
3 thereof the words: 'But the provisions of this section shall  
4 not apply when a location has been determined by a com-  
5 mittee of the supreme judicial court upon appeal from the  
6 decision of the county commissioners thereon. In such a  
7 case proceedings regarding the location shall become effect-  
8 ual as if no appeal for increase of damages had been taken,'  
9 so that said section as amended shall read as follows:

‘ Section 6. When a notice of appeal for increase of dam-  
11 ages is presented within the time allowed, the case shall be  
12 further continued until a final decision respecting damages  
13 is made. If they then are of the opinion that their proceed-  
14 ings, or any part thereof, ought not to take effect, subject  
15 to such damages as have been assessed, they shall enter a  
16 judgment that the prayer of the petitioners, or any part  
17 thereof, designating what part, is not granted for that  
18 reason. Upon such judgment, no damages shall be allowed  
19 for that part of the prayer of the petitioners not granted,  
20 but the costs shall be paid by the county; or if of opinion  
21 that such increase of damages should prevent a confirma-  
22 tion of a part or parts only of their proceedings, they shall  
23 designate such part or parts, and enter judgment accord-  
24 ingly; and the whole proceedings shall be recorded and  
25 become effectual. But the provisions of this section shall  
26 not apply when a location has been determined by a com-  
27 mittee of the supreme judicial court upon appeal from the  
28 decision of the county commissioners thereon. In such  
29 case proceedings regarding the location shall become  
30 effectual as if no appeal for increase of damages had been  
31 taken.’

Also section nine (9) of said chapter eighteen (18) is hereby  
33 amended by adding after the word “allowed” in the first  
34 line thereof, the words ‘not exceeding,’ also after the word  
35 “proceedings,” in the second line thereof the words ‘regard-  
36 ing the location,’ also by substituting the word ‘two’ in

37 place of "three" in the third line thereof, so that said section  
38 as amended shall read as follows:

' Section 9. The owners of land taken shall be allowed  
40 not exceeding one year after the proceedings, regarding  
41 the location, are finally closed to take off timber, wood or  
42 any erection thereon. A time not exceeding two years  
43 shall be allowed for making and opening the way.'

Sect. 2. This act shall take effect when approved and  
2 shall apply to pending cases.

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,  
March 9, 1897.

Reported by Mr. HILL of Portland, from Committee on Legal Affairs  
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*