

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 402

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIVE.

AN ACT to amend section 11 of chapter 23 of the Revised Statutes relating to the relocation of highways.

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

Section eleven of chapter twenty-three of the Revised
2 Statutes is hereby amended by inserting after the word
3 "boundaries" in the sixth line of said section the following
4 'by placing stakes on side lines at all apparent intersecting
5 property lines, and at intervals of not more than one hundred
6 feet' and by inserting after the word "thereof" in the seventh
7 line of said section the following 'make a correct return of
8 their doings, signed by them, accompanied by an accurate

9 plan of the way' so that said section as amended shall read
10 as follows:

'Section 11. When the true boundaries of highways duly
12 located are doubtful, uncertain or lost, the county commis-
13 sioners of the county wherein such highway is located, upon
14 petition of the municipal officers of the town wherein the
15 same lies, shall, after such notice thereon as is required for
16 the location of new ways, proceed to hear the parties,
17 examine said highway, locate and define its limits and bound-
18 aries by placing stakes on side lines at all apparent intersect-
19 ing property lines, and at intervals of not more than one
20 hundred feet, and cause durable monuments to be erected at
21 the angles thereof, make a correct return of their doings,
22 signed by them, accompanied by an accurate plan of the way,
23 and if any real estate is damaged by said action, shall award
24 damages to the owner as in laying out new highways. Said
25 municipal officers shall maintain all highway monuments, and
26 replace them forthwith when destroyed. If any appeal for
27 increase of damages is taken, and the commissioners are of
28 opinion that their proceedings hereunder, or any part thereof,
29 ought not to take effect, they shall enter a judgment that the
30 prayer of the original petitioners or any part thereof, desig-
31 nating what part, is not granted for that reason. Upon such
32 judgment no damages shall be allowed for that part of the
33 prayer of the petitioners not granted, but the costs shall be
34 paid by the county.'

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, March 7, 1905.

Reported by Mr. REED from Committee on Legal Affairs and
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*