

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

SENATE

NO. 39

In Senate, Feb. 3, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Ways and Bridges.

Committee on Reference.

Presented by Mr. Thurston of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to amend section eleven of the Revised Statutes as amended by chapter seventy-nine of the Laws of nineteen hundred and five, and as further amended by chapter one hundred and forty-three of the Laws of nineteen hundred and seven, relating to boundaries of ways.

Be it enacted by the People of the State of Maine, as follows:

Section eleven of chapter twenty-three of the revised statutes, as amended by chapter seventy-nine of the laws of nineteen hundred and five, and further amended by chapter one hundred and forty-three of the laws of nineteen hundred and seven, is hereby further amended by inserting

6 after the word "thereof" in the eighteenth line the words
7 'at the expense of the town wherein said highway or town
8 way lies,' so that said section as finally amended shall read
9 as follows:

'Sect. 11. When the true boundaries of highways or town
11 ways duly located, or of which the location is lost, or which
12 can only be established by user, are doubtful, uncertain or
13 lost, the county commissioners of the county wherein such
14 highway or town way is located, upon petition of the municipi-
15 pal officers of the town wherein the same lies, shall, after
16 such notice thereon as is required for the location of new
17 ways, proceed to hear the parties, examine said highway
18 or town way, locate and define its limits and boundaries by
19 placing stakes on side lines at all apparent intersecting prop-
20 erty lines, and at intervals of not more than one hundred
21 feet. and cause durable monuments to be erected at the
22 angles thereof at the expense of the town wherein said
23 highway or town way lies, make a correct return of their
24 doings, signed by them, accompanied by an accurate plan
25 of the way, and if any real estate is damaged by said action,
26 shall award damages to the owner as in laying out new high-
27 ways, in the case of highways to be paid by the county and
28 in the case of town ways to be paid by the town. Said
29 municipal officers shall maintain all highway or town way
30 monuments, and replace them forthwith when destroyed.
31 If any appeal for increase of damages is taken, and the com-
32 missioners are of opinion that their proceedings hereunder,

33 or any part thereof, ought not to take effect, they shall enter
34 a judgment that the prayer of the original petitioners or any
35 part thereof, designating what part, is not granted for that
36 reason. Upon such judgment no damages shall be allowed
37 for that part of the prayer of the petitioners not granted, but
38 the costs shall be paid by the county.'