

# MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

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SENATE

NO. 430

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*In Senate, March 24, 1915.*

*Reported by Sen. Durgin from Committee on Judiciary and ordered printed under joint rules.*

*W. E. LAWRY, Secretary.*

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STATE OF MAINE

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

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AN ACT entitled an act to amend Section 14 of Chapter 130 of the Public Laws of 1913 relating to the method of settling damages caused by opening, altering, widening or changing the grade of state or state aid highways.

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

Section 14 of Chapter 130 of the Public Laws of 1913 is  
2 hereby amended by striking out all of said section after the  
3 word "provided" in the eighth line thereof and adding  
4 thereto the following: 'Whenever the commission shall alter,  
5 widen or change the grade of any state or state aid high-  
6 way as herein provided, to the injury of an owner of ad-  
7 joining land he may within six months apply in writing to

8 the commission, setting forth the injury complained of and  
9 the damages claimed therefor and they shall view such way  
10 and assess the damages, if any, that have been occasioned  
11 thereby to be apportioned by the commission as law and  
12 justice may require and shall be paid accordingly, and any  
13 person aggrieved by said assessment may have the damages  
14 determined on complaint to the Supreme Judicial Court.  
15 The proceedings of said complaint shall be as described in  
16 Section 8 of Chapter 23 of the Revised Statutes. Said  
17 complaint shall be filed at the term of the Supreme Judicial  
18 Court next to be held within the county where the land is  
19 situated after sixty days from the date of assessment of  
20 damages by the commission,' so that said section as amend-  
21 ed shall read as follows:

'Sect. 14. The commission may alter, widen or change the  
23 grade of any state or state aid highway whenever in its  
24 judgment the public exigency may require, and it may lay  
25 out, establish and open a new highway as a state or state aid  
26 highway. It may also discontinue a highway as a state or  
27 state aid highway and the same shall be thereafter main-  
28 tained by the town or county originally liable therefor ex-  
29 cept as herein otherwise provided. Whenever the commis-  
30 sion shall alter, widen or change the grade of any state or  
31 state aid highway as herein provided, to the injury of an  
32 owner of adjoining land he may within six months apply in  
33 writing to the commission, setting forth the injury com-  
34 plained of and the damages claimed therefor and they shall

35 view such way and assess the damages if any, that have  
36 been occasioned thereby to be apportioned by the commis-  
37 sion as law and justice may require and shall be paid ac-  
38 cordingly and any person aggrieved by said assessment  
39 may have the damages determined on complaint to the Su-  
40 preme Judicial Court. The proceedings on said complaint  
41 shall be as described in Section 8 of Chapter 23 of the Re-  
42 vised Statutes. Said complaint shall be filed at the term of  
43 the Supreme Judicial Court next to be held within the  
44 county where the land is situated after sixty days from the  
45 date of assessment of damages by the commission.