

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1876.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 28, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE, OWEN & NASII, PRINTERS TO THE STATE.
1876.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1876.

Chapter 127.

CHAP. 127.

An act in relation to appeals from County Commissioners.

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

The provisions of chapter ninety-one of the laws of Maine, approved January twenty-nine, eighteen hundred and seventy-three, shall not apply to any case relating to the location, alteration or discontinuance of any highway, pending at the date of the passage of said act, in which a right of appeal was thereby annulled ; but parties interested may, jointly or severally, apply in writing to the county commissioners in any county where such case was then pending, within three months from the approval of this act, for leave to enter an appeal to the next term of the supreme judicial court in such county, and thereupon said county commissioners shall cause all further proceedings to be stayed, and such parties may enter and prosecute such appeal in said supreme judicial court with all the rights otherwise provided by law ; *provided, however,* that this act shall not apply to appeals in any case where such highway has been actually built, altered, discontinued or contracted to be built, altered or discontinued.

Act. of Jan. 29, 1873, not to apply to cases pending.

Appeal from county commissioners annulled.

—application for, how made.

—parties may enter and prosecute.

Proviso.

Approved February 23, 1876.

Chapter 128.

An act to amend section eighty-seven of chapter eighty-two of the Revised Statutes, relating to Evidence.

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

Exception first of section eighty-seven of chapter eighty-two of the revised statutes, is hereby amended so as to read as follows :

Sec. 87, ch. 82, R. S., amended.

‘The deposition of a party, or his testimony given at a former trial, may be used at the trial after his death, if the opposite party is then alive, and in that case the latter may also testify.’

Testimony of a party while living may be used after his death.

Approved February 23, 1876.