

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1883.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 18, 1840, and March 16, 1842.

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AUGUSTA :  
SPRAGUE & SON, PRINTERS TO THE STATE.  
1883.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.  
1883.

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## CHAP. 244

## Chapter 244.

An Act relating to the jurisdiction of the Superior Court of Kennebec County.

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

Jurisdiction of superior court, Kennebec county, in cases of divorce, not restricted.

Nothing contained in an act entitled "An Act to amend chapter sixty of the revised statutes, relating to divorce," approved March thirteen, eighteen hundred and eighty-three, shall be construed to affect the jurisdiction of the superior court of Kennebec county, but said court shall continue to exercise jurisdiction under said act as heretofore.

Approved March 15, 1883.

## Chapter 245.

An Act to amend sections seven and twenty-seven of chapter eighteen of the Revised Statutes, and to repeal chapter fifty-three of the public acts of eighteen hundred and eighty-one, relating to damages for locating, altering and discontinuing ways.

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

Sec. 7, ch. 18, R. S., amended.

SECT. 1. Section seven of chapter eighteen of the revised statutes is amended by substituting for the first sentence of said section all of the first four lines of section thirty-one of said chapter, except the last two words of the fourth line, "but the," after the semi-colon ; also by adding to said section seven the remainder of the first sentence of said last named chapter, so that said section seven of chapter eighteen shall read as follows ;

Damages, how estimated; to whom awarded.

'SECT. 7. If any person's property is damaged by laying out, altering or discontinuing a highway or town way, the commissioners or municipal officers of towns shall estimate the amount, and in their return state the share of each separately ; the damages are to be allowed to the owners of reversions, and remainders, and to tenants for life, and for years, in proportions to their interests in the estate taken ; but the commissioners or officers shall not order such damages to be paid, nor shall any right thereto accrue to the claimant, until the land over which the highway or alteration is located, has been entered upon and possession taken, for the purpose of construction or use.'

SECT. 2. Section twenty-seven of said chapter eighteen is also amended by adding thereto the following: 'When town or private ways are finally located by municipal officers, unless the land is entered upon and possession taken for said purpose within two years after the laying out or alteration, the proceedings shall be void,' so that said section shall read as follows:

'SECT. 27. Where a town, private or highway, is wholly or partly discontinued by the commissioners, a time is to be fixed for it. And when laid out by them, the way is to be regarded as discontinued, if not opened within six years from the time allowed therefor. When town or private ways are finally located by municipal officers, unless the land is entered upon and possession taken for said purpose within two years after the laying out or alteration, the proceedings shall be void.' Chapter fifty-three of the public laws of eighteen hundred and eighty-one, is repealed.

CHAP. 246

Sec. 27, amended.

Time to be fixed for discontinuance by commissioners.

Way not opened in six years, discontinued.

Way, located by municipal officers, void, if land is not entered upon within two years.

Approved March 15, 1883.

### Chapter 246.

An Act relating to attested copies from the published volumes of the early records in York County Registry of Deeds.

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

After the early records in the registry of deeds for York county shall have been published, and one or more volumes thereof placed in each registry of deeds in the state, as contemplated by a resolve of this legislature, a copy of any portion of either of said volumes, duly attested by the register of deeds, having the lawful custody thereof, shall be of the same force and effect as a like copy of the original record, attested by the register of deeds for York county.

Attested copies of records of York county, from published volumes thereof, to have same force as attested copies from original records.

Approved March 15, 1883.