

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

1915

[supplied from page 1 of volume]

Chapter 46.**CHAP. 46**

An Act to Amend Section Eleven of Chapter Twenty-three of the Revised Statutes as Amended, Relating to the Determination of Highway Boundaries which are Doubtful, Uncertain or Lost.

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 Public Laws of nineteen hundred five, and by chapter one hundred forty-three of the Public Laws of nineteen hundred seven, is hereby further amended by inserting after the first sentence of said section in the seventeenth line thereof, the following sentence: 'Their return made at the next regular statute session after the hearing, shall be placed on file and the case shall be continued to await a final decision respecting damages; sections five and six shall be applicable to appeals for increase of damages under this section,' so that said section as amended shall read as follows:

Ch. 23, Sec.
11, R. S.,
amended.

—addi-
tional.

'Section 11. When the true boundaries of highways or town ways duly located, or of which the location is lost, or which can only be established by user, are doubtful, uncertain or lost, the county commissioners of the county wherein such highway or town way is located, upon petition of the municipal officers of the town wherein the same lies, shall, after such notice thereon as is required for the location of new ways, proceed to hear the parties, examine said highway or town way, locate and define its limits and boundaries by placing stakes on side lines at all apparent intersecting property lines, and at intervals of not more than one hundred feet and cause durable monuments to be erected at the angles thereof, make a correct return of their doings, signed by them, accompanied by an accurate plan of the way; and if any real estate is damaged by said action, they shall award damages to the owner as in laying out new highways, in the case of highways to be paid by the county and in the case of town ways to be paid by the town. Their return made at the next regular statute session after the hearing, shall be placed on file and the case shall be continued to await a final decision respecting damages; sections five and six shall be applicable to appeals for increase of damages under this section. Said municipal officers shall maintain all highway or town way monuments, and replace them forthwith when destroyed. If any appeal for increase of damages is taken, and the commissioners are of opinion that their proceedings hereunder, or any part thereof, ought not to take effect, they shall enter a judgment that the prayer of the original peti-

County
commis-
sioners
may locate
bound-
aries.

—may award
damages.

—appeal for
increase,
how dealt
with.

CHAP. 47 tioners or any part thereof, designating what part, is not granted for that reason. Upon such judgment no damages shall be allowed for that part of the prayer of the petitioners not granted, but the costs shall be paid by the county.'

Approved March 10, 1915.

Chapter 47.

An Act to Amend Sections Twenty-three and Twenty-four of Chapter Two Hundred Twenty-one of the Public Laws of Nineteen Hundred Thirteen, Relating to Filling Vacancies in Nominations Made at a Primary Election.

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

Ch. 221, Sec. 23, P. L., 1913, as amended by Ch. 160, Sec. 3, P. L., 1913, further amended.

Section 1. Section twenty-three of chapter two hundred twenty-one of the Public Laws of nineteen hundred thirteen, as amended by section three of chapter one hundred sixty of the Public Laws of the same year, is hereby further amended by striking out in the second line of said section as amended the words "before the meeting of the Legislature," and inserting in place thereof the words 'before the day of the gubernatorial election,' and by inserting after the word "eighteen" in the sixth line of said section the words 'or in case a vacancy occurs in any office which is to be filled at the next biennial state election, for which no nomination has been made at the primary election held on the third Monday in June of the same year;' and by inserting after the word "time" in the tenth line of said section the words 'within which nomination papers shall be filed and the time for transmitting to town clerks lists of candidates proposed for nomination, and the time;' and by inserting after the first sentence of said section as amended, the following sentence: 'If the time is insufficient therefor, said nomination may be supplied in the manner provided in section twenty-two;' so that said section as amended shall read as follows:

Filling of vacancies in any office, how done.

'Section 23. In case any nominee for United States Senator, nominated hereunder, shall die before the day of the gubernatorial election at which such office is to be filled, or shall before that time withdraw in writing, or shall forfeit his nomination by failure to accept or to file return, as provided in sections seventeen and eighteen; or in case vacancy occurs in any office which is to be filled at the next biennial state election, for which no nomination has been made at the primary election held on the third Monday in June of the same year, a special primary election shall be ordered by proclamation of the Governor, at such date as he deems best, conforming as near as may be practicable

—primary election.