

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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1915

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

1915

[supplied from page 1 of volume]

CHAP. 111

Chapter 111.

An Act to Amend 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 as Further Amended by Chapter One Hundred Forty-three of the Public Laws of Nineteen Hundred Seven, Relative to Defining the Boundaries of Ways Where the Same are Doubtful, Uncertain or Lost.

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

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

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 as further amended by chapter one hundred forty-three of the Public Laws of nineteen hundred seven, is hereby further amended by inserting after the word "thereof" in the twelfth line the words 'at the expense of the town wherein said highway or town way lies,' so that said section as finally amended shall read as follows:

Bound-
aries to be
fixed by
county com-
missioners.

'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 at the expense of the town wherein said highway or town way lies, 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, 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. 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 petitioners 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.'

—at expense
of town.

—damage
may be
awarded.

Municipal
officers
shall main-
tain monu-
ments.

Commis-
sioners' ac-
tion toward
appeals.

—costs,
how paid.