

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

1858.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

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1858.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1858.

CHAP. 23.

or other instrument, to secure the use thereof to the said county for the purposes aforesaid, for and during the period of five years from said day; and the said commissioners shall cause a record of such instrument to be made by their clerk, and shall, as soon thereafter as may be, cause a notice of the fact that such provision has been made, and of its acceptance by them, to be published three weeks successively in all of the newspapers then printed in the county of Lincoln; and the city of Rockland aforesaid, is hereby authorized to assess and raise, a sufficient sum or sums for the purpose of providing said accommodations for the said courts, not exceeding in the whole the sum or sums of eight hundred dollars.

—to make record and publish notice.

Rockland authorized to assess.

SECT. 4. The term of the supreme judicial court now required to be holden at Wiscasset aforesaid, on the first Tuesday of May, for the transaction of civil business, shall on the first Tuesday of May, in the year of our Lord one thousand eight hundred and fifty-nine, and thereafter annually, be a court for the transaction of civil and criminal business.

Civil and criminal term of S. J. court at Wiscasset in May.

SECT. 5. This act shall take effect from and after its approval by the governor.

[Approved March 19, 1858.]

Chapter 23.

An act to amend chapters six and eighteen of the revised statutes, relating to the location and repair of roads in unincorporated places.

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

SECT. 1. Chapter eighteen of the revised statutes is hereby amended by adding to section thirtieth the words, "or partly by said owners and partly by the county in which said road is situated, as to said commissioners may seem just, and in conformity to the thirty-third section of said chapter;" so that said thirtieth section as amended shall read as follows:

Ch. 18, sect. 30, R. S. amended.

SECT. 30. County commissioners on petition, as provided in section one, may lay out, alter, or discontinue, a highway on or over any township or tracts of land in their county, not within any town or plantation required to assess a state or county tax. All expenses for making and opening it are to be paid by the owners of such lands, excluding lands reserved for public uses, in proportion to their interests in the lands, over any part of which it is laid; or partly by said

Commissioners may lay out ways over lands not incorporated.

Expenses by whom paid.

CHAP. 23.

—how adjusted.

owners and partly by the county in which said road is situated, as to said commissioners may seem just, and in conformity with the thirty-third section of this chapter.

Ch. 18, sec. 38,
R. S. amended.

SECT. 2. The thirty-third section of said eighteenth chapter is hereby amended by striking out the word "townships" in the fourth line, and inserting in its place the words, "separate ownerships"; and by inserting after the word "proportionate" in the sixth line the words "to the value and," and also by inserting after the word "necessary" in the last sentence the words, "for raising such portion of the money as they may have adjudged to the proprietors," and by adding to said sentence the words, "and the balance of said money they may assess upon the county," so that said thirty-third section as amended shall read as follows:

Expenses of making and opening, how to be assessed.

SECT. 33. When a way is laid out over such lands, they shall decide whether any tract or part thereof will thereby be enhanced in value; and they may make as many divisions as are equitable, conforming as nearly as convenient to known divisions or separate ownerships; and assess upon each division adjudged to be enhanced in value a sum proportionate to the value and to the benefits likely to result to it from the establishment of the way. The assessments may be made at such rates per acre as they judge to be necessary for raising such portion of the money as they may have adjudged to the proprietors for making and opening the way and for paying the expenses attending it, and the balance of said money they may assess upon the county.

Ch. 6, sect. 41,
R. S. amended.

SECT. 3. Section forty-one of chapter six is hereby amended by striking out the words "within one year from the date thereof," in the ninth line, and by inserting the words, "before the fifteenth day of September next after such assessment, *provided* he give notice in writing of his intention, to the agent, on or before the first day of June in the same year," so that said section as amended shall read as follows:

Agents to be appointed to expend money.

SECT. 41. They shall, at the time the assessment is made or within three months thereafter, appoint a suitable agent or agents, not members of their board, to superintend and direct the expenditure of the sums so assessed. Such agents shall give bond with approved sureties to expend the money faithfully and to render an account thereof on demand. Any owner of land so assessed may pay his proportion of the assessment to the county treasurer, or in labor upon the road, under the direction of the agent, before the fifteenth day of September next after such assessment, *provided* he give notice in writing of his intention, to the agent, on or before the first day of June in the same year. The certificate of the agent of

—to give bond.

Taxes may be paid in labor.

Proviso.

the sum so expended shall discharge the tax for the amount so certified.

CHAP. 24.

[Approved March 20, 1858.]

Chapter 24.

An act additional to chapter forty-seven of the revised statutes, relating to banks and banking.

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

SECT. 1. The receivers of a bank as soon as they are qualified, shall give notice thereof in the newspapers printed in the county where it is located, and in one newspaper in each of the cities of Portland and Bangor, to be continued three months; and only six months after their appointment, are allowed to prove all claims against such bank, and only one year, for converting all its assets into money by collection or sale, and making their report to the court, unless the court, after due notice, allows a further time for the collection of some debts due to the bank.

Bank receivers to publish notice.

Time allowed to prove claims.

—for collecting debts and making report.

SECT. 2. Where receivers are already appointed, six months from the expiration of the time notified for the proof of claims, if it has not expired, or if it has, six months from the passage of this act, are allowed them to convert the assets of the bank into money and report to the court.

—receivers already appointed.

SECT. 3. No receiver of a bank shall purchase or hold against it for himself or another, directly or indirectly, any claim or certificate of debt; and any violation of the provisions of this act by any receiver shall be sufficient reason for his removal from office.

Receivers not to hold claims.

SECT. 4. This act shall take effect when approved by the governor.

When to take effect.

[Approved March 20, 1858.]