

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

THIRD LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1823.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 20, 1820.

PORTLAND:

BY TODD AND SMITH.....PRINTERS TO THE STATE:

1823.

son or persons shall be damaged in their property by the laying out, altering or accepting of any county road, such person or persons shall be entitled to receive from the county, in which said highway shall be located, the same reasonable compensation, which he or they are now entitled by law to receive from the town, in which such highway is laid out, altered or amended, or through which the same may pass, and the return thereof be accepted: And such highway shall be laid out, and the amount of compensation or damages therefor, shall be estimated by a committee of three or five freeholders in the same county, not interested, otherwise than as inhabitants thereof, to be appointed by the Court of Sessions of such county, in the same way and manner as is provided in the act to which this is additional; and the Courts of Sessions of the several counties, in the several cases before described, are hereby directed to allow and record such damages, when the same shall be estimated, under the provisions of existing laws, as charges against their respective counties; and to order the same to be paid out of the County Treasury.

Damages from laying out county roads to be sustained by county.

How estimated and paid.

SECT. 2. *Be it further enacted,* That all acts, and parts of acts, inconsistent with the provisions of this act, be and they hereby are repealed.

Repealing section.

[*This Act passed February 10, 1823.*]

CHAPTER CCXXVIII.

AN ACT additional to An Act regulating Judicial process and proceedings.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That in the several actions mentioned in the nineteenth section of the act to which this is additional, where the defendant is allowed to file his account in offset to the plaintiff's demand, it shall and may be lawful for the defendant in such actions, to file also any promissory note or notes, he may have, signed by such plaintiff, and made payable to the defendant, or to the defendant or his order, in offset to the plaintiff's demand;

Defendant may file notes as well as accounts in offset.

Proceedings
thereon.

and such proceedings shall be had thereon, as is directed in the section aforesaid, in like cases; and such note or notes shall be filed within the times prescribed in the same section.

[*This Act passed February 10, 1823.*]

CHAPTER CCXXIX.

AN ACT in addition to an act, entitled An Act concerning the assessment and collection of Taxes.

Assessors may
assess improved
lands, &c. either
to tenant or owner:
whether, within, or out of
State.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That the assessors of any town or plantation within this State, in assessing any state, county, town, or plantation taxes, may, and hereby are authorized, at their election, to assess improved lands, houses, or tenements, to the tenants in possession of the same, or to the owner or owners thereof, whether such owner or owners reside within this State, or elsewhere; any law, usage or custom to the contrary notwithstanding. And the collectors of taxes, for the several towns and plantations within this State, are hereby authorized to collect such taxes, in the manner pointed out in the thirtieth section of the act, to which this is an addition.

[*This Act passed February 10, 1823.*]

CHAPTER CCXXX.

AN ACT additional to an Act, for the prevention of Lotteries not authorized by law, and to prohibit the sale or purchase of Tickets in this State.

Part of former
act repealed.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That from and after the first day of September next, so much of the act to which this is additional, as exempts from the operation of that law, lotteries granted by the Congress of the United States, and permits the sale of tickets in such lotteries, be, and is hereby repealed.

[*This Act passed February 10, 1823.*]