

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FOURTH LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1824.

PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28TH JUNE, 1820.



PORTLAND:

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1824.

Lincoln, at Topsham, within and for said County, shall be on the second Tuesday in September, annually, instead of the time heretofore established by law for holding said Court at that place.

[*This Act passed February 9, 1824.*]

CHAPTER CCXLVIII.

AN ACT additional to "An Act prescribing the mode of taking depositions."

Depositions in perpetuum, how to be taken out of the State & within it.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That depositions in perpetual remembrance of a thing taken by any Judge or Justice of any Court of record in this State, or in any other of the United States, and recorded in this State in the same manner and form as is prescribed in the act to which this is additional, for the taking such depositions before two Justices of the Peace, *quorum unus*, and recording the same, may be used in any Court in this State, in the same manner as if the same were taken and recorded according to the provisions of the act aforesaid.

[*This Act passed February 12, 1824.*]

CHAPTER CCXLIX.

AN ACT additional to the several Acts directing the method of laying out, and making provision for the repair and amendment of highways.

County Attorneys to be notified when highways are petitioned to be laid out or altered.

SECT. 1. BE it enacted by the Senate and House of Representatives, in Legislature assembled, That from and after the passing of this Act, when application shall be made to the Court of Sessions in any county in this State, for the laying out of any new highway from town to town, or from place to place, or when such application shall be made for the

altering of any highway already laid out and established, or when application shall be made to the Supreme Judicial Court, for laying out or altering any highway in or through two or more adjoining counties, it shall be the duty of those making such applications, in addition to the notice to towns and individuals interested, already provided for by law, to cause the attorneys for the State, respectively, in the counties in which any such highway or part thereof to be laid out or altered may be situated, to be seasonably notified of such application; and it shall be the duty of the attorneys for the State, in the several counties, when notified of any such application, to appear and act in behalf of their respective counties, in the court where any such application shall be pending.

SECT. 2. *Be it further enacted,* That when any person shall, as now prescribed by law, apply to the Court of Sessions of any county, or to the Supreme Judicial Court, complaining that he or she has been aggrieved in estimating damages, by the doings of any committee appointed by either of the Courts aforesaid, to lay out or alter any highway as aforesaid, the attorney for the State in the county wherein such highway shall be situated, shall be duly notified of such application, and if the person complaining, and the said county attorney can agree upon a committee to estimate such damages anew, the court may hear and finally determine the same by such committee so agreed upon; but no agreement for this purpose between the agent of any town in which such highway shall be laid out or altered, and the person complaining, shall be valid without the assent of the county attorney; and in case a jury be summoned, as now by law prescribed, at the request of the person complaining as aforesaid, notice to attend such jury in behalf of the county, which by law is obliged to pay the damages so estimated, shall be given to the county attorney for the county, in which such highway shall be situated, by the officer who shall summon and attend such jury. And it shall be the duty of the county attorney to attend the said jury in behalf of the county.

County Attorney and person complaining for damages may agree in certain cases upon the amount.

Compensation
to C. Attorneys
in such cases.

SECT. 3. *Be it further enacted,* That the several county attorneys shall have, for the services rendered by them in pursuance of this Act, a reasonable compensation, to be ascertained and allowed by the Courts of Sessions respectively in the counties where said attorneys belong ; and such compensation shall be paid by their respective counties.

S. J. Court may
order laying
out roads thro'
a county to
connect other
roads.

SECT. 4. *Be it further enacted,* That the Justices of the Supreme Judicial Court may order the laying out of any road or highway through one county for the purpose of connecting roads which may have been laid out in adjoining counties, when the Court of Sessions shall have unreasonably refused or neglected to lay out such road. And the proceedings shall be had in the same manner as is authorized by an Act authorizing the Supreme Judicial Court to lay out and alter public highways in certain cases, passed on the eighth day of February, in the year of our Lord one thousand eight hundred and twenty three, and according to the provisions of this act.

[*This Act passed February 12, 1824.*]

CHAPTER CCL.

AN ACT additional to an Act for the admeasurement of Boards and regulating the sale of Shingles, Clapboards, Hoops and Staves, and for other purposes.

Shingles may
be inspected &
marked of dif-
ferent qualities

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That notwithstanding the directions prescribed in the third section of the Act aforesaid, relating to shingles intended to be shipped to a foreign market, it shall and may be lawful to offer for sale in any town in this State, shingles of other qualities, inferior in dimensions and quality to those mentioned in said act. And it shall be the duty of surveyors to inspect and mark such shingles of inferior qualities and less dimensions, and to class them accordingly under the names of No. 2 and No. 3 ; and those described in the act aforesaid shall be considered as No. 1.