

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

SIXTH LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1826.

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PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28th OF JUNE, 1826.

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Portland.

PRINTED BY THOMAS TODD.....PRINTER TO THE STATE.

1826.

CHAPTER CCCXXI.

AN ACT concerning Streets and Ways in the town of Portland.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That when a street or way is laid out and accepted in the town of Portland, in the county of Cumberland, and damages are awarded to any person or persons, in consequence thereof, the Selectmen of said Portland shall and may enquire and determine, whether the estate of any person or persons, is accommodated and increased in value, by said street or way, and to assess such person or persons, their fair and just proportion of the damages and cost, which said town may be obliged to pay in consequence of the location of said street or way. And said Selectmen shall, before they make said assessment, give reasonable notice to the owner or owners of said estate, or the tenant in possession thereof; and, having made said assessment, shall return the same, under their hands, or the hands of a majority of them, to the town clerk, who shall record the same, and cause a copy thereof to be served on the person or persons therein assessed. And said assessment shall be, and remain, a lien on said estate, until it is paid.

When damages are awarded Selectmen to enquire whether the value of the estate of any person be increased, and assess the same.

Notice to be given.

Assessment to be returned to the town clerk;

—to be a lien on the estate.

SECT. 2. *Be it further enacted,* That any person or persons, aggrieved by the assessment of said Selectmen, may appeal therefrom, and apply to the next Court of Common Pleas, in said county; which Court, after reasonable notice to said town, is hereby empowered to hear, and finally determine the same, by a committee, if the parties agree thereon, or by the jury, and to render judgment and issue execution, for the sum assessed by said committee, or jury, with costs for the prevailing party.

Persons aggrieved may appeal to the court of Common Pleas.

Proceedings thereon.

When no appeal be claimed, action of debt may be maintained for the assessment, &c.

SECT. 3. *Be it further enacted,* That if the person or persons, so assessed by the Selectmen, shall not appeal therefrom, and apply to the next Court of Common Pleas, after notice of said as-

assessment, said town may have and maintain an action of debt, in any Court of competent jurisdiction, for the amount of said assessment, with interest thereon and costs of suit.

[Approved by the Governor, Feb. 14, 1826.]

CHAPTER CCCXXII.

AN Additional ACT to provide for carrying into effect certain stipulations in the Act for erecting the District of Maine into a separate State.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That for defraying the one half of the expense of surveying the lands in the State of Maine, surveyed and to be surveyed and divided, the charges attending such surveys, and also for defraying one half of the compensation of the Secretary of the Board of Commissioners, and paying for the stationary necessary to be used by them, exclusive of the personal expenses of said Commissioners, the sum of four thousand dollars, be, and hereby is appropriated as a contingent fund, to be drawn for and paid as provided in the Act to which this is additional.

Appropriation of \$4,000 as a contingent fund for defraying certain expenses relating to the public lands.

[Approved by the Governor, Feb. 17, 1826.]

CHAPTER CCCXXIII.

AN Additional ACT for the regulation of the Penobscot and Passamaquoddy tribes of Indians.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled, That* the Agent or Agents of the Penobscot tribe of Indians be authorized for the use of said tribe, to lease any of the Islands belonging to the said tribe, for any term of years not exceeding twelve, and to sell and dispose of the burnt and decaying timber upon the two Indian townships, on the west branch of Penobscot River,

Agent of the Penobscot tribe may lease certain Islands and dispose of certain timber with the consent of the Governor of the tribe and the Governor of the State