

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

THIRTEENTH LEGISLATURE,

At its Session, held in January, 1833.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA :

I. BERRY & CO. PRINTERS TO THE STATE.

1833.

inspection of pickled and smoked fish, be and the same hereby is repealed.

[Approved by the Governor, March 4, 1833.]

Chapter 79.

AN ACT relative to certain powers and duties of County Commissioners.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That whenever any highway shall hereafter be located and established by the County Commissioners of any County, through any unincorporated tract of land, it shall be the duty of said Commissioners to decide whether such tract, or any part of it, will be enhanced in value by such road. And said Commissioners may, upon a plan or sketch of such tract, whether said tract consist of one or more townships or less than a township, divide the same into so many divisions as they may think justice and equity shall require, conforming to any known divisions or separate ownerships as near as may be. And they may assess upon each division, which they shall deem to be enhanced in value, toward the expense of making and opening such road, such sum as, in their judgment, shall be proportionate to the value thereof and to the benefits to be derived thereto, by the establishment of such road. And nothing in this section shall be construed as dispensing with the provisions of any previous Acts any farther than the same shall be inconsistent herewith.

Commissioners shall decide whether the value of the land through which any road may pass, will be enhanced thereby, &c.

--may assess upon the same the sum each division may be benefited, to defray the expense of making said road;

SECT. 2. *Be it further enacted,* That whenever any alteration shall be made in any County road, the Commissioners, in their return thereof, shall fix a time, at which the old or altered part thereof shall be discontinued or cease to be a public highway.

--shall fix the time in their return when any discontinued road shall cease to be a public highway.

—shall establish any town or private way in case Selectmen or inhabitants refuse &c.

SECT. 3. *Be it further enacted,* That, whenever, upon the refusal of the Selectmen of any town to locate, or of the inhabitants thereof to accept and establish, any town way or private way the Commissioners shall, in the mode prescribed by law, establish such way, or order the same to be recorded in the town books, the Commissioners shall allow reasonable costs to the petitioners and make up judgment therefor, on which a warrant of distress may be issued.

—shall cause monuments to be erected at the angles of all locations and alterations of Highways.

SECT. 4. *Be it further enacted,* That in all locations or alterations on highways, made by the County Commissioners, they shall cause good, durable monuments to be erected at the angles thereof, stone monuments being preferred in all cases where they can be obtained without unreasonable expense; and County Commissioners shall perform all the duties in locating any roads, which Committees of the Courts of Sessions were required to perform.

Compensation of said Commissioners shall be \$3 per day.

SECT. 5. *Be it further enacted,* That the compensation of County Commissioners shall be three dollars per day, and in that proportion for any part of a day, actually employed in the service of the County, including time necessarily spent in making drafts, and all other necessary labor, and exclusive of time necessarily spent in travelling; for which time no charge shall be allowed.—But they shall be allowed three dollars for every thirty miles travel and in the same proportion for a shorter distance; and no additional charges shall be allowed for trouble or expense of any kind. Each Commissioner shall keep an accurate account of his time spent as aforesaid, and of his travel, specifying the places to and from which the same is charged. And he shall not be allowed for any services not so specified. And before the same shall be allowed he shall take oath to the accuracy thereof, before the Clerk or County Attorney. And such accounts shall be examined and audited by the County Attorney and Clerk, who shall certify the amount

Travel &c.

Commissioners shall keep account of time spent &c. to be audited by County Attorney and Clerk &c.

which ought to be allowed. And no further or other sum shall be allowed or paid by the County on such account.—And the Clerk shall return a copy of such account to the Secretary of State on or before the day appointed for the meeting of the Legislature annually. And the Clerk shall cause a copy of such account to be published in some newspaper printed in the County.

Clerk shall return a copy of said account to the office of the Secretary of State — and cause copy thereof to be published.

SECT. 6. *Be it further enacted,* That all Acts and parts of Acts, inconsistent with the provisions of this Act, be and the same hereby are repealed.

Acts repealed.

[Approved by the Governor, March 4, 1833.]

Chapter 80.

AN ACT additional to an Act to regulate Banks and Banking.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That, in addition to the returns required by the twenty-second section of the act to which this is additional, it shall be the duty of the Cashier of each Bank to make similar returns, upon the first Mondays of the months of January and June in each year, exhibiting the state and condition of the Bank, as existing at two o'clock in the afternoon of the preceding Saturdays, and transmit the same within fifteen days to the Secretary of State. And the forms of returns, directed by that act to be furnished by the Secretary of State, shall contain an additional column, under the head of "Resources of the Bank," for Bills of other Banks without the State. And if any cashier shall neglect or refuse to make and transmit any such return, required by this act, or the act to which this is additional, the corporation shall forfeit and pay a penalty not exceeding one thousand dollars to the use of the State.

Additional returns to be made in the months of January and June of each year.

Form of returns shall contain an additional column.

Forfeiture for not transmitting such returns.

SECT. 2. *Be it further enacted,* That it shall be the duty of the Secretary of State, after receiv-