

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES,

PASSED BY THE

TWENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

JANUARY SESSION, 1841.

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

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AUGUSTA:  
SEVERANCE AND DORR, PRINTERS TO THE STATE.

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1841.

**PUBLIC AND SPECIAL LAWS**  
OF THE  
**STATE OF MAINE.**  
**1841.**

[supplied from page 289 of volume]

appointed under the provisions of this Act, shall give good and sufficient bonds to the Treasurer of State, to the acceptance of the Governor and Council, and in such sum as they shall appoint, for the faithful discharge of the duties of their office as directors, and any person who may be injured by their unfaithfulness, misfeasance or malfeasance, shall have a like remedy on said bond for redress, as is provided in the case of bonds given by administrators to judges of probate; and the directors, for their services, shall receive such compensation as the Governor and Council shall deem reasonable.

Directors to give bond—  
—to State Treasurer.  
—to acceptance of Governor and Council.

—remedy thereon.

Compensation of directors.

SECT. 7. *Be it further enacted*, That the directors appointed, as aforesaid, shall at the end of the two years, as aforesaid, and sooner, if a final close is made of the affairs of said bank, distribute, equally, the net amount of the assets of said bank, coming into their hands, among the creditors of said bank, in proportion to their respective claims, and if any balance of assets shall still remain in their hands pay over the same to the several stockholders of said bank, in proportion to the amount of stock held by them respectively.

Directors to close concerns of bank in two years,

and distribute proceeds.

[Approved April 16, 1841.]

### Chapter 196.

AN ADDITIONAL ACT relating to Highways and the powers and duties of County Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled*, That whenever any person or persons shall make application to the county commissioners, in any of the Counties within this State, to locate and establish a public road or highway across any lands, not situated within the limits of any organized plantation or incorporated town, within this State, or to make an assessment upon such lands, for the purpose of making or repairing any such road, already located or that may hereafter be located, said commissioners, upon being satisfied that said pe-

Notice required, before locating highways across lands in unorganized places; and before making an assessment to repair any such way.

tioners ought to be heard touching the matter set forth in their petition, shall, before having any further proceedings thereon, order the petitioners to give notice of the pendency of their petition, and of the time and place appointed to consider the same and adjudicate thereon, by causing the owner or owners of said lands, over which said highway is or may be located, (if known,) to be served with an attested copy of their petition and the commissioners' order thereon, fourteen days at least before the time so appointed: and, if said owners are unknown, then notice shall be given them by publishing said petition, and the commissioners' order thereon, for the term of six weeks in the State paper, the last publication to be thirty days, at least, before the time appointed to consider the same as aforesaid. And no proceeding affecting the rights of said owners shall be had, until such order of notice shall have been complied with.

SECT. 2. *Be it further enacted,* That any person or persons, corporation or corporations, aggrieved by any decision, adjudication or decree of any court of county commissioners within this State, may appeal to the justices of our supreme judicial court, who are hereby vested with appellate jurisdiction, with full power to revise, affirm, modify or annul the same, as justice to the parties and the public good may require, and discretionary power in regard to awarding costs: *Provided, however,* such appeal shall not be sustained, unless the clerk of the judicial courts in such County be notified that an appeal is claimed, within ten days from the publication of such decision, adjudication or decree, and requested to make record thereof.

[Approved April 17, 1841.]

### Chapter 197.

AN ACT to establish the Portland and Oxford Rail-road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That Samuel Jordan, John Rand, Zenas Libby, Samuel

Appeal allowed in all cases, from the commissioners to the supreme judicial court.

Corporators.