

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

4628

PASSED BY THE

TWENTY-SECOND LEGISLATURE

OF THE

S T A T E O F M A I N E ,

A . D . 1 8 4 2 .

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and
March 16, 1842.

AUGUSTA:

Wm. R. SMITH & Co., PRINTERS TO THE STATE.

1842.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1842.

CHAP. 15.

R. S. § 1, 2, 3, 4,
and 5 of ch. 50,
repealed.

SECT. 3. The first, second, third, fourth and fifth sections of chapter fifty of the revised statutes, entitled “of the inspection of beef and pork,” are hereby repealed.

[Approved March 11, 1842.]

Chapter 16.

AN ACT in relation to ferries.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Provisions in re-
lation to ferries.

SECT. 1. Where a ferry has been established, or may hereafter be established by the legislature, on which a horse boat or steam boat is to be run, the county commissioners shall not have power to establish another ferry on the same river within one mile above or below the place of such horse or steam ferry.

Acts, &c. incon-
sistent, repealed.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

[Approved March 14, 1842.]

Chapter 17.

AN ACT to alter the time of holding the supreme judicial court in the county of Somerset.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Time of holding
S. J. C. in Som-
erset.

The supreme judicial court shall be holden annually at Norridge-wock in the county of Somerset by one or more justices, on the Wednesday next after the second Monday of September, instead of the last Tuesday of September, as now required by law.

[Approved March 14, 1842.]

Chapter 18.

AN ACT relating to appeals from county commissioners.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Appeals from de-
cisions of county
commissioners in
certain cases.

SECT. 1. Any person or corporation, aggrieved by the decision of any court of county commissioners, on an application to lay out, alter, or discontinue any highway, or to assess any tax on unincor-

porated lands for opening or repairing highways, or to license or revoke the license of any ferry, may appeal to the supreme judicial court, under the restrictions and limitations contained in this act; *provided*, that after one such appeal shall have been determined in the supreme judicial court, no appeal from any subsequent adjudication of the commissioners, involving substantially the same question, shall be sustained. Proviso.

SECT. 2. Such appeal shall be claimed within ten days after the adjudication of the county commissioners shall be entered of record, and the appellant shall recognize, with sufficient sureties to the acceptance of said clerk, for the prosecution of such appeal, and for the payment of all costs adjudged against him thereon; and thereupon all further proceedings shall stay in said county commissioners' court, until a final decision shall be had in the supreme judicial court. Appeal when claimed.
Appellant to give sureties for payment of costs, &c.

SECT. 3. If the appeal shall not be entered, the adjudication of the court of county commissioners shall be affirmed by the supreme judicial court, on complaint of any party interested, and costs awarded against the appellant. Adjudication of county commissioners to be affirmed by S. J. C. &c.

SECT. 4. The supreme judicial court, at any term thereof, is hereby vested with full power to revise, affirm, modify or reverse any decision or adjudication, brought before them by such appeal, as justice to the parties, or the public good may require; and may order and direct the court of county commissioners to carry into effect any order, decree or decision made by them under the provisions of this act. Powers of the S. J. C. in the premises.

SECT. 5. In all cases, where, on trial in the supreme judicial court any such appeal shall be determined against the appellant, costs shall be awarded against him, in favor of the parties appearing in court to defend against said appeal; and whenever any such appeal shall be determined in favor of the appellant, the court shall have discretionary power as to awarding costs. In relation to costs.

SECT. 6. The second section of an act, entitled, "an act relating to highways, and the powers and duties of county commissioners," passed the seventeenth day of April, in the year, one thousand eight hundred and forty one, is hereby repealed; but this repeal shall not take effect upon any appeal entered pursuant to the provisions of said section, before the passage of this act. § 2 of Act of April 17, 1841, repealed.

[Approved March 14, 1842.]