

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-THIRD LEGISLATURE

OF THE

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

A. D. 1843.

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

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

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1843.

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PUBLIC LAWS

OF THE

STATE OF MAINE,

1843.

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**ERRATA:**

**The following leaf is  
inserted because one or more pages  
in this chapter have errors  
noticed and corrected here.**

# STATE OF MAINE.

SECRETARY'S OFFICE,  
Augusta, June 10, 1843. }

I HEREBY CERTIFY, That the acts and resolves contained in this pamphlet, have been compared with the originals deposited in this office, and that they appear to be correctly printed, with the exceptions mentioned in the *errata* hereunto annexed.

PHILIP C. JOHNSON, *Secretary of State.*

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## ERRATA.

### PUBLIC LAWS.

- Page 45, chap. 6, first line, for "hereafter," read "hereinafter"  
47, " 9, second line of sect. 3, for "rail" read "rail road"  
59, " 21, ninth line from top, after "shall" insert "also"  
70, " 31, third line from bottom of sect. 3, after "shall" insert "not"  
73, " 33, fourth line from bottom of sect. 3, before "companies" insert "the"  
74, " 33, sect. 4, sixteenth line, for "military duty" read "duty"

### PRIVATE AND SPECIAL LAWS.

- Page 87, chap. 81, third line of sect. 4, for "low" read "log"  
93, " 83, third line, for "Dolbier" read "Dolliver"  
96, " 88, second line from the top, after "as" insert "the"  
96, " 89, first line, for "James" read "Thomas"  
125, " 113, third line from the bottom of sect. 2, for "advise" read "advice"

### RESOLVES.

- Page 169, chap. 146, sixth line of preamble, for "said" read "such"

Penobscot and Somerset, all expenses and damages which shall accrue from such commitment.

CHAP. 5.

[Approved February 20, 1843.]

### Chapter 5.

AN ACT relating to town lines.

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

SECT. 1. It shall be the duty of the selectmen of all towns incorporated by this legislature, or that have been incorporated within two years past, to perambulate and mark the town lines of such towns, on or before the first day of May next.

Duties of selectmen in regard to town lines.

SECT. 2. And where there has been a division of any town within said time, it shall be the duty of the selectmen of all the towns about any part of which there has been any new line created, to perambulate and mark, (according to the provisions of the revised statutes,) any and every such new line, previous to the first day of May next; and the notices shall be given in the manner prescribed by the revised statutes.

In cases of division of towns, selectmen of each town to perform said duty, previous to the first day of May.

[Approved February 20, 1843.]

### Chapter 6.

AN ACT additional to chapter one hundred and forty-five of the revised statutes.

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

SECT. 1. To all real actions now pending or hereafter brought by a reversioner or a remainder man, or his or their assigns, after a termination of a tenancy in dower, or of any other life estate, against the assignee or grantee by deed of and from the tenant of the life estate, or against the heirs at law, or legal representatives of such tenant—the sections twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four and forty-five of said chapter be, and the same are hereby, made to extend and apply. *Provided, however,* it shall further be the duty of the jury to enquire and return in their verdict, that the buildings and improvements were

Various sections of chap. 145 of the revised statutes made to apply in real actions brought by a reversioner or remainder man for certain purposes. Proviso.

**CHAP. 7.**

erected and made by the defendant or by his grantor or assignor, and that they were proper and judicious under the circumstances of the case; and allow damages only for such.

Said provisions to extend to grantee or assignee of the tenant in dower.

Lien given.

No bar to such action, that the tenant yields possession to superior title.

SECT. 2. The provisions and benefit of the forty-seventh section of said chapter, are hereby made to apply and extend to the grantee or assignee of the tenant in dower, and of any other life estate as described in the first section of this act; and a lien is hereby given on the real estate therein described, to be enforced by commencement of action within one year after entry therein mentioned. And hereafter it shall be no bar to such action of assumpsit that the tenant, to avoid cost, yields possession to the superior title.

[Approved March 4, 1843.]

**Chapter 7.**

AN ACT concerning suits where either of the District Judges is a party.

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

Where judges of D. court are parties.

SECT. 1. All actions in which either of the judges of the district court is a party, and wherein the damages are laid at more than twenty dollars, shall be commenced and heard in the supreme judicial court, and single costs taxed for the prevailing party.

When an appeal is taken, single costs taxed.

SECT. 2. When an appeal is taken in any action, where either of the said judges is a party, from the decision of any justice of the peace, municipal or police court, it shall be taken to the supreme judicial court, and shall be heard and tried therein, and single costs taxed for the prevailing party.

SECT. 3. All acts inconsistent with the provisions of this act, are hereby repealed.

[Approved March 11, 1843.]

**Chapter 8.**

AN ADDITIONAL ACT regulating the inspection of fish.

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

Mackerel, to be numbered 1, 2, 3.

SECT. 1. There shall be three numbers of mackerel: those of the best quality not mutilated, of suitable size, free from rust, taint or damage, shall be branded *number one*; the next best quality of