

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1845.

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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. T. JOHNSON, PRINTER TO THE STATE.

1845.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1845.

CHAP. 171.

Pay of committee.

If judgment of county commissioners is confirmed, appellants to pay costs, &c.

If respondents shall be defaulted, duty of court in regard to prayer of petitioners.

Compensation to surveyor.

Power of justice of S. J. C. to remove default.

SECT. 3. The said committee shall be paid for their travel and attendance the same as is allowed to county commissioners for similar services, out of the county treasury; and if the original judgment of the county commissioners shall be affirmed in whole or in part, the appellants shall pay all costs that have arisen since the appeal, and the county commissioners shall issue their warrant therefor in the same manner as is now provided for the collection of costs awarded against petitioners.

SECT. 4. If in any such case now pending in the supreme judicial court the respondents have been or shall be defaulted, the court shall thereupon adjudge that the prayer of the petition be granted, and shall appoint a surveyor to make the location, alteration or discontinuance as prayed for, who shall make a return thereof to the court, and judgment shall be entered accordingly. And the compensation of such surveyor shall be two dollars per day without travel.

SECT. 5. The said justices of the supreme judicial court shall have power to take off the default in any of said cases prior to the appointment of commissioners or of a surveyor, if the justice of the case shall require it.

SECT. 6. This act shall take effect at its approval.

[Approved April 7, 1845.]

Chapter 171.

AN ACT in addition to chapter one hundred and twenty-one of the revised statutes.

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

Additional to ch. 121 R. S., relative to co-tenants.

When the co-tenants are not known, or reside out of the state, the petition for partition mentioned in chapter one hundred and twenty-one of the revised statutes may be presented to the district court in any county within the district, but the order of notice shall be made returnable in the county where the lands lie. And this act shall take effect at its approval.

[Approved April 7, 1845.]