

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)

ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

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

Augusta:

WILLIAM T. JOHNSON,.....PRINTER TO THE STATE.

1846.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1846.

CHAP. 216.

Chapter 216.

An Act additional to chapter twenty-fifth of the revised statutes of the state of
Maine.

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

Remedy for dam-
ages in raising or
lowering any
road or street.

If any commissioner or surveyor of highways shall raise or lower any road or street in any city or town, to the damage of the owner or owners of the adjoining land, said owner or owners may apply to the mayor and aldermen of cities or selectmen of towns; and the mayor and aldermen or selectmen, shall proceed to examine such road or street, and assess the amount of damages, if any, which shall be paid by the city or town to said owner or owners and their award shall be deemed final.

[Approved August 10, 1846.]

Chapter 217.

An Act in relation to the public lots in unincorporated townships.

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

Moneys arising
from sale of tim-
ber to constitute
funds for school
purposes.

SECTION 1. The moneys arising from the sale of timber on the reserved lots in any unincorporated township, or from trespasses on such lots, and which have already been, or shall hereafter be paid into the treasury of the county where any such township is situated, shall constitute funds for school purposes, of which the income only shall be expended and applied, and in the manner provided by this act.

Such funds to be
invested.

SECT. 2. The county commissioners in each county may invest such funds in the securities of any town or county, or in the stocks of this state: *Provided*, that such investment shall not be made in any case, where the actual amount of the fund is less than one hundred dollars.

Interest, how
disposed of.

SECT. 3. If there are no inhabitants on such township, the annual interest accruing from such investments shall be added to the principal fund; but if the inhabitants of any such township shall have become organized into a plantation, for election purposes or otherwise, and shall have organized one or more school districts according to law, the county commissioners shall cause the said annual interest to be paid yearly to the clerks of such plantations, and the same shall be applied to the support of schools in said districts, to be distributed according to the number of scholars in

each district: *Provided*, that if any district or plantation shall be composed of parts of two or more townships, the interest aforesaid shall be distributed, as nearly as practicable, according to the proportions of the funds arising from the reserved lots in each township, for the support of schools in that township.

SECT. 4. This act shall take effect from and after its approval by the governor.

[*Approved August 10, 1846.*]

Chapter 218.

An Act to change the rule of evidence in certain cases.

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

In any action upon a promissory note payable on demand at a place certain, or on demand at a place certain after or at the expiration of a specified time, the plaintiff shall not be entitled to recover unless he shall prove a demand to have been made at the place of payment, prior to the commencement of the suit: *Provided* that the provisions of this act shall not apply to any note made prior to the time at which this act shall take effect.

Promissory notes, demand to be made at place of payment.

[*Approved August 10, 1846.*]

Chapter 219.

An Act repealing all acts and resolves allowing clerk hire to the Adjutant General.

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

That all acts and resolves authorizing the payment of money for service of clerks in the office of the adjutant general, are hereby repealed.

Clerk hire of adjutant general repealed.

[*Approved August 10, 1846.*]