

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## THIRTY-FIRST LEGISLATURE

OF THE

### STATE OF MAINE,

A. D. 1852.

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

1852.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1852.

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**CHAP. 247.** judicial court to be holden as aforesaid, in and for said county of Aroostook, on the docket of the same, and shall have day therein.

Justices, ap-  
pointment and  
services of.

**SECT. 25.** In appointing justices, and in filling all vacancies which may occur, the appointments shall be so made that at least two justices shall reside in each judicial district, that the several judges of the said supreme court, shall interchange with each other under the direction of the chief justice, in holding said courts, so that their several services shall be divided to each county throughout the state, as nearly equal as may be.

Acts repealed.

**SECT. 26.** All acts or parts of acts relating to the terms appointed for the holding of courts in the different counties, and all acts and parts of acts, so far as the same may be inconsistent with this act, are hereby repealed.

**SECT. 27.** This act shall take effect and be in force from and after April thirtieth, eighteen hundred fifty-two.

[*Approved April 9, 1852.*]

## Chapter 247.

An act concerning railroads.

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

Railroads, as-  
signment of  
charter, &c.,  
prohibited,  
without au-  
thority of the  
legislature.

**SECT. 1.** It is hereby declared that no railroad company has or shall have the right to assign its charter, or any of its privileges, immunities or franchises, without the express authority of the legislature therefor; nor shall any railroad company, without such express authority, lease its road or any portion thereof, or grant the use and enjoyment thereof or any portion of the same, to any other person or corporation, or in any way grant the use, possession, or control of the same to any other party or corporation, or in any way place the control and management of the said road in the hands of any other officers or parties than those contemplated by the charter; and any such lease, contract, agreement, assignment or transfer heretofore or hereafter made is hereby declared to be null and of no effect; and it shall be the duty of the attorney general, on suggestion or request of any person complaining of a violation of the provisions of this act, by any such corporation, to file an information, in the nature of a quo warranto, against said corporation, before the supreme judicial court, and said court is

Lease, assign-  
ment, &c.,  
declared void.

Duty of attor-  
ney general.

authorized to pass such judgment, order, or decree, as to justice and equity may appertain in all such cases; *and provided* that nothing in this act shall extend to any agreement for the lease of the Somerset and Kennebec Railroad to the Kennebec and Portland Railroad on the terms mutually agreed on by the stockholders in both of said companies; nor to affect any mortgage made for securing the debts of any corporation, or with any portion of the Atlantic and Saint Lawrence Railroad which lies within the states of New Hampshire and Vermont.

SECT. 2. This act shall take effect in six months from and after its approval by the governor.

[Approved April 13, 1852.]

CHAP. 248.

Authority of  
supreme judi-  
cial court.  
Proviso.  
Contracts, &c.,  
of certain rail-  
roads, not af-  
fected.

### Chapter 248.

An act additional relating to the duties of registers of deeds.

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

SECT. 1. That section one, of chapter one hundred and thirty-three, of the public laws of eighteen hundred and forty-five, is hereby repealed.

Sec. 1, ch. 133,  
stat. of 1845,  
repealed.

SECT. 2. That each register may appoint a clerk in his office, who shall be sworn to the faithful performance of his duty; and such clerk may, in case of the sickness, absence, or other temporary disability of the register, sign all the certificates now required by law to be signed by the register, and such certificates so signed shall be as valid and effectual in all courts, and to all intents and purposes as if signed by the register himself; and the register shall be responsible for all the doings of his clerk in such cases.

Registers  
authorized to  
appoint clerks.

Clerks author-  
ized to sign  
certificates.

SECT. 3. This act shall take effect from its approval by the governor.

[Approved April 13, 1852.]