

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-FIRST LEGISLATURE

OF THE

### STATE OF MAINE.

1862.

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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:  
STEVENS & SAYWARD, PRINTERS TO THE STATE.  
1862.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1862.

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**CHAP. 90.**

Such appeal,  
when cogniza-  
ble.

Appellant to  
produce a copy  
of record, &c.

Proceedings in  
case of failure.

Actions com-  
menced not  
affected.

SECT. 3. Such appeal shall be cognizable at the next term of the supreme court which is held after the expiration of ten days after such appeal is made, and said court may reverse or affirm, in whole or in part, the decision appealed from, allow cost to the prevailing party, and take any action therein that law and justice require.

SECT. 4. The appellant shall, at the appellate court, produce a copy of the record and all other papers filed in the cause, except depositions or other written evidence or documents, the original of which shall be produced; and if he fails to produce such papers and enter and prosecute his appeal, the supreme court, on complaint of the adverse party, may affirm the former decision, assess costs for the complainant, and take such further order thereon as law and justice require.

SECT. 5. This act shall not apply to any action commenced before this act takes effect.

[Approved March 10, 1862.]

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## Chapter 90.

An act to obtain certain statistics relating to neat stock, sheep, swine and agricultural products.

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

Assessors of  
cities, &c., to  
make returns  
of neat stock,  
&c., to secre-  
tary of state.

—also,  
agricultural  
products.

SECT. 1. The assessors of the several cities, towns and plantations in the state, on or before the first day of July in each year, shall make returns to the office of the secretary of state the number of neat stock, sheep and swine in their respective cities, towns and plantations on the first day of April in each year, classifying the animals and their various kinds according to the direction and intent of the blank returns furnished for that purpose; also the facts as they exist in each city, town and plantation on the first day of April in relation to the following matters, to wit: The number of bushels of Indian corn raised in the year ending on said first day of April, the number of bushels of wheat, of rye, barley, oats, buckwheat, potatoes, turnips, beets, carrots, and apples, also the number of tons of upland hay, the number of tons of bog and salt hay, and the number of tons of interval hay, also the number of pounds of butter, cheese, honey and maple sugar produced, and the number of gallons of maple syrup and molasses, also the number of pounds of wool and dressed flax, and the number of woolskins, also the value of poultry and eggs produced, also the number of horses of four years old and upwards owned in said city, town or plantation, and the number of colts under four years of age, on said first day of April.

CHAP. 91.

SECT. 2. The secretary of state shall cause to be printed blank tables conveniently arranged for the return of facts as aforesaid, and shall furnish three copies of the same, with a copy of the first section of this act printed thereon, to the assessors of each city, town and plantation on or before the twentieth of March in each year.

Secretary of state to furnish blank tables.

SECT. 3. The returns from the cities, towns and plantations in each county as they are received at the office of the secretary of state, shall be filed away by themselves in a convenient form for reference for the use of the legislature and for the secretary of the board of agriculture.

Returns to be filed.

SECT. 4. Chapter one hundred fifty-nine of the laws of eighteen hundred and sixty is hereby repealed, and this act shall take effect when approved.

Chap. 159 of laws of 1860, repealed.

[Approved March 10, 1862.]

**Chapter 91.**

An act authorizing the taking of land for forts and other purposes.

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

SECT. 1. The governor by advice of the council, is hereby authorized and empowered, to take in the name of the state, by purchase and deed, or in the manner herein denoted, any land or lands, or rights of way, for the purpose of erecting, using or maintaining any fort, fortification, arsenal, military connection, way or railroad, with all necessary rights, powers and privileges incident to the use thereof, whenever the governor by and with the advice of the council, may determine that the public exigencies require it; and by and with the advice of the council, he may deliver possession, and cede the jurisdiction thereof to the United States, on such terms and conditions as they deem expedient.

Governor may purchase or take land for forts and other purposes.

--may cede the same to United States.

SECT. 2. When the governor and council determine that a public exigency requires the taking of any land or rights as aforesaid, they shall cause the same to be surveyed, located and so described, that the same can be identified, and a plan thereof, with a copy of the order in council, to be filed in the office of the secretary of state, and there recorded. The filing of said plan and copy shall operate to vest the title in the land and rights aforesaid in the State of Maine, or their grantees, to be held during the pleasure of the state, and if transferred to the United States, during the pleasure of the United States.

--shall cause the same to be surveyed.

--plan, &c., of, to be filed and recorded in secretary's office.

--how vested.