

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## THIRTY-NINTH LEGISLATURE

OF THE

## STATE OF MAINE.

1860.

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Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26,  
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PUBLIC LAWS

OF THE

STATE OF MAINE.

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said officers, to the same extent and in the same manner as towns are now by law liable for the acts or orders of firewards in similar cases. And the firemen and engine men, who may be employed by virtue of the provisions of any such ordinance or by-law, shall have all the powers and privileges, and be subject to all the duties and liabilities of engine men, as prescribed in the act to which this is additional.

CHAP. 146.

Powers, privileges and duties of men so employed.

[Approved March 5, 1860.]

### Chapter 146.

An act to establish the county of Knox.

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

SECT. 1. The towns of Appleton, Camden, Hope, North Haven, and Vinalhaven, in the county of Waldo, and Cushing, Friendship, Rockland, South Thomaston, St. George, Thomaston, Union, Warren and Washington, the plantations of Martinicus and of Muscle Ridge, in the county of Lincoln, are constituted a county by the name of Knox, which shall have all the powers, privileges and immunities, and be subject to all the duties and obligations of other counties in the state by the constitution and laws thereof. The shire town of the county of Knox shall be Rockland.

Knox county established.

Shire town.

SECT. 2. There shall be annually held in said county three terms of the supreme judicial court, for the transaction of business cognizable by one justice thereof, on the second Tuesday of February, first Tuesday of May, and fourth Tuesday of October. And said county shall compose a part of the middle judicial district for the determination of all questions of law.

Terms of S. J. court regulated.

Middle judicial district.

SECT. 3. There shall be a probate court in said county, to be held in the shire town thereof, at the times designated by the judge thereof, or by law, with the same powers and duties as other probate courts in the state.

Probate court.

SECT. 4. There shall be three terms of the court of county commissioners in said county, to be held on the first Tuesday of April, August and December, with the same powers and duties as other such courts in the state.

Court of county commissioners.

SECT. 5. All civil processes commenced or pending in the supreme judicial court in the counties of Lincoln or Waldo, on the thirty-first day of March, in the year of our Lord one thousand eight hundred and sixty, affecting the title to real estate situated in the county of Knox, or wherein both parties reside in said county, or wherein the defendants reside in said county, and the plaintiffs

Civil processes transferred from Lincoln and Waldo.

**CHAP. 146.**

**Criminal processes.** reside out of the state, in which there are to be trials; and all criminal processes growing out of offences committed within said county of Knox, pending in any way, on the day aforesaid, in either of said two counties, shall be transferred to, entered and proceeded with in the court to be held in said county of Knox, the same as if they had been originally entered therein, and all papers of every description pertaining to such cases on file in the clerks offices of the two counties aforesaid, shall be delivered over to the clerk of the court for said county of Knox, on the transfer of said cases; and all processes pending before the court of county commissioners for said two counties, which would have fallen within the jurisdiction of said county of Knox, if it had been established when said processes originated, shall be transferred to said county and disposed of by the commissioners thereof in the same manner as if they had been originally entered before that court; and all papers pertaining to them shall be delivered by the clerks of said two counties to the the clerk of the county of Knox, on the transfer of said cases.

**Papers to be delivered to clerk of Knox.**

**Processes before county commissioners transferred.**

**Papers to be delivered, clerk.**

**Commitments to be to jails of Waldo or Lincoln.**

**Jailer's duty.**

**Rights of persons committed.**

**Duty of magistrates and officers of Waldo and Lincoln.**

**Expenses to be paid by Knox county.**

**Unpaid county taxes.**

**Election districts unchanged.**

**Certain officers of Waldo and Lincoln authorized to act.**

**SECT. 6.** All officers in the county of Knox, having authority to commit any prisoner or debtor to jail, are authorized and required to commit such persons to jail in the county of Waldo or Lincoln, as the county commissioners of Knox shall designate, until a jail shall be prepared in the county of Knox for the reception of prisoners, and the sheriff thereof shall be notified to that effect; and the keeper of the jail in Waldo or Lincoln county is hereby required to receive and detain in his custody all such persons, and said persons shall be entitled to the same rights and privileges as though they resided in the county of Waldo or Lincoln; and it is hereby made the duty of all magistrates, and civil officers of the county of Waldo or Lincoln, to perform all acts relating to such persons as they are authorized and required by law to do for other persons arrested or committed within the county of Waldo or Lincoln; and the county of Knox shall pay to the county of Waldo or Lincoln all expenses which may accrue from such commitments, the same as for persons committed from said Waldo or Lincoln.

**SECT. 7.** The towns within the county of Knox, their officers and agents shall pay to the treasurers of the counties of Lincoln and Waldo all unpaid county taxes assessed prior to the time this act takes effect.

**SECT. 8.** For the election of representatives to congress, of senators and representatives to the state legislature, the towns within the county of Knox shall remain parts of the districts to which they now belong till a new apportionment is made.

**SECT. 9.** All justices of the peace and justices of the peace and quorum, all notaries public, and all persons appointed to qualify civil officers, all persons appointed to solemnize marriages, and all

coroners duly qualified to act as such, within and for the respective counties from which this county is formed, who shall, when this act takes effect, reside in this county, are hereby authorized to act as such in this county, during the time for which they were appointed, and to issue any processes necessary to finish the business pending before them, when this act takes effect.

SECT. 10. The governor, with advice of council, after the approval of this act, shall appoint a sheriff, judge, and register of probate, clerk of the courts, county attorney, county commissioners, register of deeds, and county treasurer for said county of Knox, to enter upon the duties of their offices on the first day of April, in the year of our Lord one thousand eight hundred and sixty, and hold them until their places are filled by an election according to the constitution and the laws, unless sooner removed for cause.

Officers to be appointed by Governor.

Term of office.

SECT. 11. The salary of the judge of probate shall be two hundred and fifty dollars; of the register of probate, four hundred dollars, and of the county attorney, three hundred dollars.

Salaries.

SECT. 12. The city of Rockland is required to fulfil the obligation to provide a suitable court room and other accommodations for said courts and their officers, and a safe and convenient place wherein to secure persons charged with offences during the sessions of the court, free of expense to the county of Knox until the first day of October, in the year of our Lord one thousand eight hundred and sixty-three, as provided in 'An act relating to certain courts in the county of Lincoln,' approved March nineteen, eighteen hundred and fifty-eight; and the county commissioners of the county of Lincoln shall deliver to the county commissioners of the county of Knox, on demand after their qualification, the lease of said court room and accommodation now held by the former, to be held by the latter as security for the fulfillment of said obligation on the part of the city of Rockland.

Rockland to provide court room, &c., as provided in act approved March 19, 1853.

Lease of court room to be delivered.

SECT. 13. The county commissioners of Lincoln shall certify, under oath, to the county commissioners of Knox, the exact amount of the indebtedness of Lincoln as it exists on the day this act is approved; and the county commissioners of Knox shall apportion, in their next general apportionment of county taxes to each town taken from Lincoln by this act and included in Knox, the same portion of said indebtedness that would have been assessed on each to pay the whole, if the county of Knox had not been established. And the county commissioners of Waldo county shall certify, under oath, to the county commissioners of Knox the exact amount of indebtedness of Waldo as it exists on the day this act is approved; and the county commissioners of Knox shall apportion in their next apportionment of county taxes, to each town taken from Waldo by this act and included in Knox, the same portion of said indebted-

Indebtedness of Lincoln, how to be certified and apportioned.

—of Waldo, same.

**CHAP. 147.** ness that would have been assessed on each to pay the whole if the county of Knox had not been established.

When to take effect.

SECT. 14. This act shall take effect on the first day of April, eighteen hundred and sixty.

[Approved March 9, 1860.]

### Chapter 147.

An act additional to chapter twenty of the revised statutes relating to ferries.

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

Property to be appraised on removal of ferryman.

Whenever the county commissioners remove a ferryman, they shall appraise the boat and other personal property used in running the ferry, at its fair value, and the person appointed shall purchase the same at said appraisal, if the person removed assents thereto.

[Approved March 9, 1860.]

### Chapter 148.

An act authorizing the assessors of towns to administer the oath of office to highway surveyors.

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

Assessor may administer oath to highway surveyor, effect.

SECT. 1. Either of the assessors of the town may administer the oath to highway surveyors, and the same duty is imposed upon the respective officers of making, delivering, returning and recording the certificate of such oath, and the same penalty is incurred for the neglect of such duty, and the same force and effect is given to the record, as is now provided by law in case the highway surveyor is sworn by the town clerk or any magistrate.

[Approved March 9, 1860.]

### Chapter 149.

An act to provide for inquests in cases of suspected incendiarism.

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

Inceudiarism suspected, complaint how made.

SECT. 1. Whenever any building or other property in the state, shall be destroyed by fire, and within ninety days thereafter a complaint shall be subscribed and sworn to by the mayor of the