

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1837.

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SEVENTEENTH LEGISLATURE.

No. 15.

HOUSE.

STATE OF MAINE.

THE Committee on Division and Alteration of Counties to which was referred the petitions of the inhabitants of several towns in the County of Hancock for the removal of the Shire town in said County from Castine to Ellsworth, and also the returns of votes given in, in the several towns and plantations in said County of Hancock in relation to establishing the Judicial Courts at Castine, Bluehill or Ellsworth in said County, have had the same under consideration, and ask leave to

REPORT.

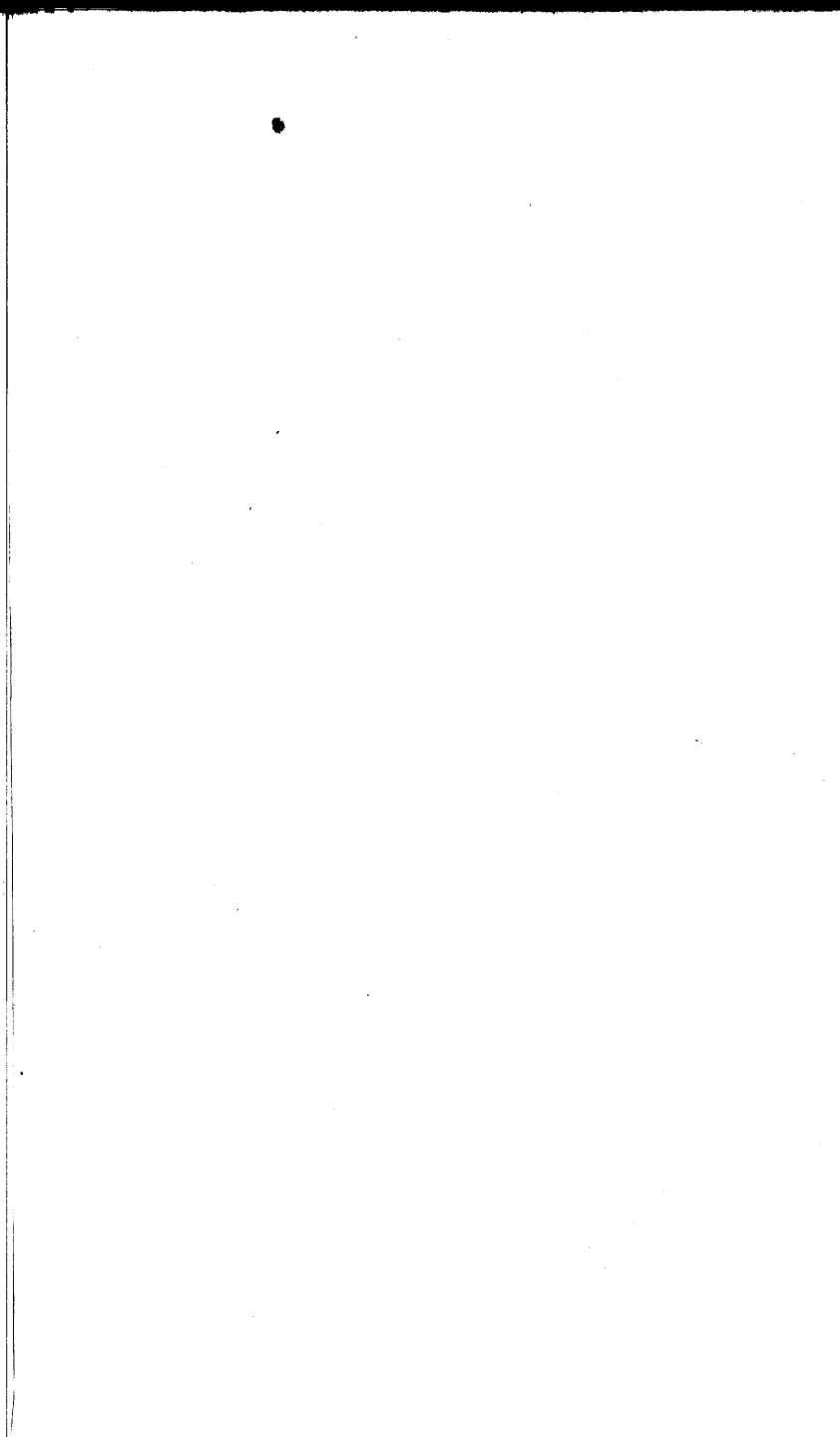
That, the whole number of votes given in, was twenty-four hundred ninety-one ; of which number, twelve hundred ninety-eight were for Castine ; eleven hundred seventy for Ellsworth, and twenty-three for Bluehill. There were also before your Committee petitions from the inhabitants of three

unorganized plantations, whom in the opinion of the Committee ought to have the privilege of being heard upon a subject which was so nearly connected both with their interest and convenience. The number of petitioners were as follows : from No. 15, thirty-three ; No. 1, twenty-nine, and from No. 8, eighty-one, all of whom the Committee counted and added to the number of votes returned for Ellsworth, making thirty-five more votes for Ellsworth than for Castine. There were also two hundred and fifty-eight petitioners on three petitions from the town of Bucksport, praying for the removal of the Judicial Courts from Castine to Ellsworth, but as a majority of the individuals who thus petitioned might have voted at the annual September meeting on the same question, the Committee did not think it advisable to notice them. A petition likewise from a portion of the inhabitants of Cranberry Isle was before us, who on account of their absence at the September meeting did not vote upon this question, were anxious that the Legislature should know of their preference for Ellsworth to be the Shire town, but these were also rejected. After a consideration of the subject, which its importance demanded, and viewing it in all its bearings, the Committee were unanimously of the opinion that the Judicial Courts in the County of Hancock, should be removed from Castine to Ellsworth, and gave

leave to the several petitioners to bring in a Bill, which is herewith submitted.

Your Committee, on examination of the case, having found that the strongest objection to the proposed change of the Shire town arose from the unequal manner in which the expenses of new buildings, &c. must be borne, the valuation having been made seven years ago, have prepared a Resolve authorizing the County Commissioners to hire the necessary sum of money until after a new valuation shall have been made, which is also herewith submitted.

N. C. FLETCHER, *Per Order.*



1767

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND THIRTY-SEVEN.

AN ACT constituting Ellsworth the Shire town
of the County of Hancock.

SECTION 1. *Be it enacted by the Senate
2 and House of Representatives in Legislature
3 assembled,* That from and after the first day of
4 October, in the year of our Lord one thousand
5 eight hundred and thirty-eight, Ellsworth, in
6 the County of Hancock, shall be and hereby is
7 made the Shire town of said County ; and the
8 terms of the Supreme Judicial Court, the Court
9 of Common Pleas, and the Court of County
10 Commissioners now or hereafter established to
11 be held for said County, shall be held at
12 Ellsworth.

SECT. 2. *Be it further enacted,* That it is
2 hereby made the duty of the County Commis-
3 sioners, previously to said first day of October,
4 to provide at said Ellsworth, and at the expense

5 of said County, suitable buildings, offices and
6 accommodations for the holdings of said Courts,
7 for the deposite and safe keeping of the records,
8 documents and papers pertaining to the public
9 offices, and also for the transaction by the County
10 officers of the business of the respective depart-
11 ments ; and also a suitable Jail for the safe
12 keeping of such persons as may be committed
13 or removed thereto.

SECT. 3. *Be it further enacted,* That on
2 said first day of October, all the records, docu-
3 ments, books, papers and other property, per-
4 taining to the office of the Clerk of the Courts,
5 and of the Register of Deeds, shall be removed
6 to, and kept, and the business of said office done
7 at Ellsworth. The records, documents, books,
8 papers and other papers, pertaining to the Probate
9 Office, shall also be removed and kept at the
10 County building in Ellsworth.

SECT. 4. *Be it further enacted,* That the
2 County Commissioners are hereby authorized
3 to sell and convey or otherwise dispose of the
4 lands and buildings, located at Castine, belong-
5 ing to the County ; also such furniture and

6 other articles of County property as they may
7 think inexpedient to remove to Ellsworth.

SECT. 5. *Be it further enacted, That, on*
2 said first day of October, the Sheriff of the
3 County by himself or his Deputy shall remove
4 thereto the prisoners who may then be in close
5 confinement in the Jail at Castine, after which
6 the Jail last mentioned shall no more be used as
7 a public Jail, but all commitments on legal
8 process shall be to the Jail at Ellsworth.

SECT. 6. *Be it further enacted, That all*
2 writs, executions, warrants, citations, venires or
3 other process whatever, in suits civil or criminal,
4 which may have been issued and made returnable
5 after said first day of October to any term of any
6 of the Courts aforesaid, shall be and hereby are
7 made returnable to and shall have day and hear-
8 ing at the term of said Court holden at Ells-
9 worth at the time appointed in such process.

SECT. 7. *Be it further enacted, That in*
2 all recognizances and bonds conditioned for the
3 appearance of any person or persons at any term
4 of a Court to be holden after said first day of
5 October at Castine to answer, to shew cause or

6 to testify, such person or persons are hereby
 7 required to appear and answer, shew cause or
 8 testify at the term holden at Ellsworth on the
 9 day appointed in the recognizance or bond there-
 10 for ; and a failure so to appear shall be held a
 11 forfeiture of the recognizance or bond.

• SECT. 8. *Be it further enacted,* That in
 2 any jail bond by which any person may be bound
 3 to appear or surrender himself at the Jail in
 4 Castine at a day subsequent to said first day of
 5 October, it shall be his duty to appear and sur-
 6 render himself at the Jail in Ellsworth instead
 7 of Castine ; and a neglect so to do shall be held
 8 a breach of the condition of the bond ; and if
 9 any debtor committed on execution shall have
 10 cited his creditor to appear at the jail-house in
 11 Castine, to shew cause why he should not be
 12 discharged on taking the poor debtor's oath and
 13 the jailor's office shall in the mean time have
 14 been removed to Ellsworth, the said parties
 15 shall be held to appear at said office in Ellsworth
 16 at the time appointed, instead of the jail-house
 17 in Castine.

SECT. 9. *Be it further enacted,* That all

2 actions, suits, prosecutions, complaints, recogni-
 3 zances, indictments, bonds, informations and
 4 other matters or processes, civil or criminal,
 5 which shall on said first day of October stand
 6 continued or adjourned to any term of any Court
 7 to be held at Castine, shall be considered and
 8 deemed to stand continued or adjourned to the
 9 same term to be held at Ellsworth.

SECT. 10. *Be it further enacted*, That all
 2 Acts and parts of Acts, inconsistent with the
 3 provisions of this Act, be and the same are
 4 hereby repealed.

SECT. 11. *Be it further enacted*, That this
 2 Act shall not take effect unless the inhabitants
 3 of said town of Ellsworth, shall, by legal and
 4 sufficient deed, within three months from the
 5 passage of this Act, convey to said County the
 6 Town-House in Ellsworth, with all the land
 7 pertaining thereto, now belonging to said town.

STATE OF MAINE.

RESOLVE authorizing the County Commissioners for Hancock County to hire Money for certain purposes.

Resolved, That the County Commissioners
2 for Hancock County be and they hereby are
3 authorized to borrow in behalf of said County
4 a sum of Money not less than Four Thousand
5 Dollars nor more than Eight Thousand Dollars
6 for the purpose of erecting and fitting up suitable
7 buildings at Ellsworth for the Courts, a Jail
8 and County Offices. The interest on said sum
9 to be paid by said County annually and the
10 principal or sum so borrowed to be reimbursed
11 in five equal annual instalments in 1842, 1843,
12 1844, 1845, and 1846 ; and the said Commissioners
13 are authorized and required to add the
14 said annual interest and the said instalments to
15 the ordinary expenses of the appropriate years,
16 and assess the same with the yearly taxes.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
FEBRUARY 3, 1837. }

This Report, and the accompanying Bill and Resolves,
were read, laid on the table, and five hundred copies there-
of ordered to be printed for the use of the Legislature.

[Extract from the Journal.]

Attest, CHARLES WATERHOUSE, *Clerk.*