

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1839.

VOL. 2.

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*AUGUSTA:*  
SMITH & ROBINSON, PRINTERS TO THE STATE.

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1839.

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**NINETEENTH LEGISLATURE.**

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**NO. 12.**

**SENATE.**

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AN ACT CONSTITUTING

CALAIS THE SHIRETOWN

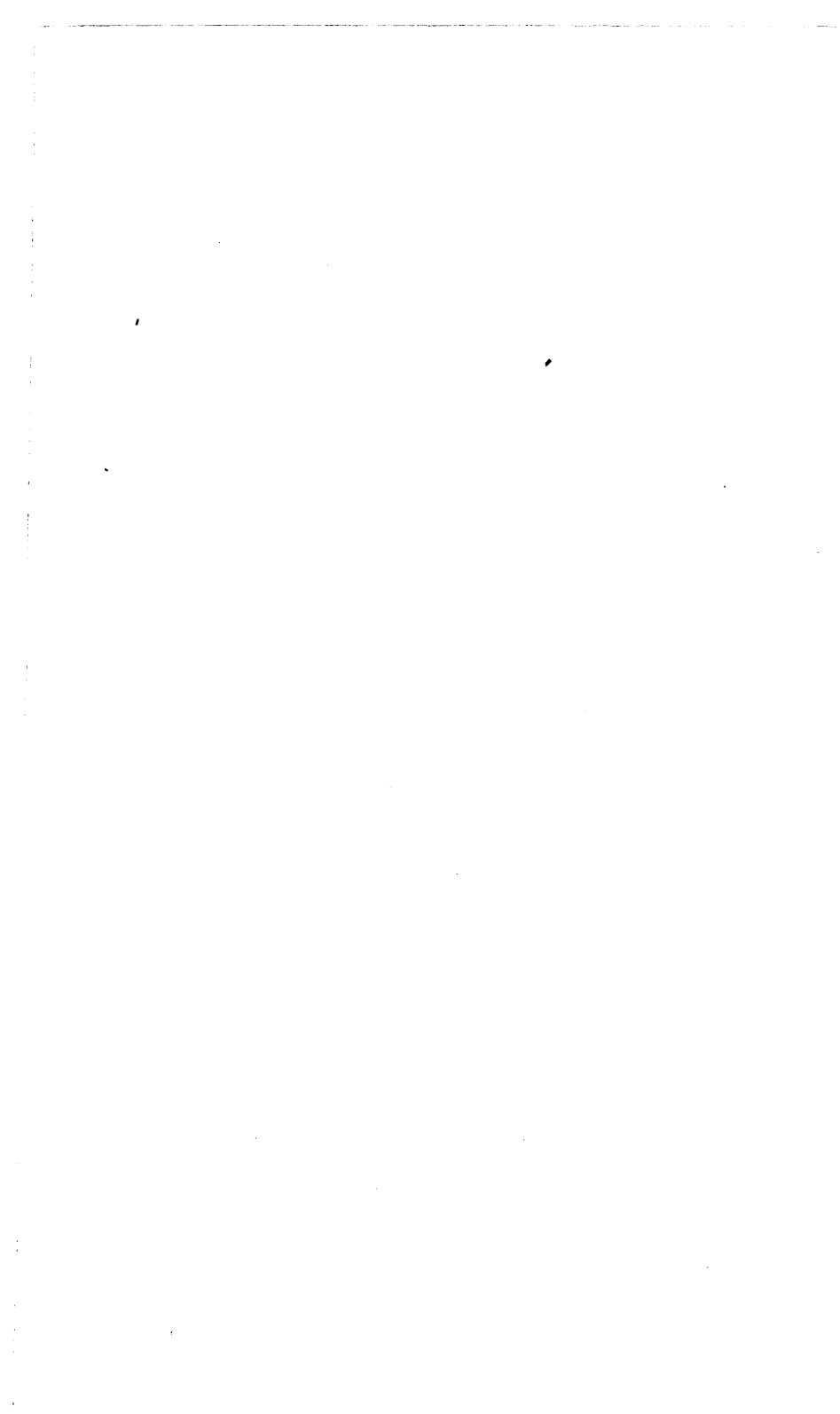
OF THE

COUNTY OF WASHINGTON.

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[SMITH & ROBINSON,.....Printers to the State.]



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## STATE OF MAINE.

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

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**AN ACT** constituting Calais the shire town of the  
County of Washington.

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**SECTION 1.** *Be it enacted by the Senate  
2 and House of Representatives in Legislature  
3 assembled,* That from and after the first Tues-  
4 day of May, in the year of our Lord one thous-  
5 and eight hundred and forty, Calais in the  
6 County of Washington, 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 Calais.

**SEC. 2.** *Be it further enacted,* That it is  
2 hereby made the duty of the County Commis-  
3 sioners, previously to said first Tuesday of May  
4 to provide at said Calais, and at the expense of

5 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  
10 County officers of the business of the respective  
11 departments; and also a suitable jail for the safe  
12 keeping of such persons as may be committed or  
13 removed thereto.

SEC. 3. *Be it further enacted*, That on said  
2 first Tuesday of May, all the records, documents,  
3 books, papers and other property, pertaining to  
4 office of the Clerk of the Courts, and of the Reg-  
5 ister of Deeds, for the Southern District of the  
6 County of Washington, shall be removed to and  
7 kept, and the business of said offices done at  
8 Calais; the records, documents, books, papers  
9 and other property, pertaining to the Probate  
10 Office, shall be removed and kept at the County  
11 buildings in Calais.

SEC. 4. *Be it further enacted*, That the  
2 County Commissioners are hereby authorized to  
3 sell and convey or otherwise dispose of the lands  
4 and buildings, located at Machias, belonging to

5 the County; also such furniture and other arti-  
6 cles of County property, as they may think inex-  
7 pedit to remove to Calais.

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

SEC. 6. *Be it further enacted*, That all writs,  
2 executions, warrants, citations, venires, or other  
3 process whatever, in suits, civil or criminal,  
4 which may have been issued and made return-  
5 able after said first Tuesday of May, to any  
6 term of any of the Courts aforesaid, shall be,  
7 and hereby are made returnable after said first  
8 Tuesday of May, to any term of any of the  
9 Courts aforesaid, shall be and hereby are made  
10 returnable to and shall have day and hearing at  
11 the term of said Court, holden at Calais, at the  
12 time appointed in such process.

SEC. 7. *Be it further enacted*, That in all  
2 recognizances and bonds conditioned for the

3 appearance of any person or persons, or corpor-  
4 ations at any term of a Court to be holden after  
5 said first Tuesday of May, at Machias, to  
6 answer, to shew cause or to testify, such person  
7 or persons, or corporation are hereby required  
8 to appear and answer, shew cause and testify at  
9 the term holden at Calais, on the day appointed  
10 in the recognizance or bond therefor; and a fail-  
11 ure so to appear shall be held a forfeiture of the  
12 recognizance or bond.

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



16 time appointed instead of the jail house in Ma-  
17 chias.

SEC. 9. *Be it further enacted,* That all  
2 actions, suits, prosecutions, complaints, recog-  
3 nizances, indictments, bonds, informations and  
4 other matters or processes, civil or criminal,  
5 which shall on said first Tuesday of May stand  
6 continued or adjourned to any term of any Court  
7 to be holden at Machias, shall be considered  
8 and deemed to stand continued or adjourned to  
9 the same term to be holden at Calais.

SEC. 10. *Be it further enacted,* That all  
2 acts and parts of acts, inconsistent with the pro-  
3 visions of this Act, be and the same are hereby  
4 so far repealed as they may thus be so incon-  
5 sistent.

SEC. 11. *Be it further enacted,* That said  
2 County Commissioners shall be authorized and  
3 required in behalf of, and on the credit of said  
4 County to make a loan of money upon the best  
5 terms they may be able, sufficient to defray the  
6 expense which shall be incurred by them in  
7 providing the buildings, offices, jail and other  
8 accommodations required to be provided by  
9 them, by the provisions of the second Section

10 of this Act; and that no County tax including  
11 the amount of said loan or any part thereof,  
12 shall be assessed upon said County, until after  
13 the next State valuation to be made in the year  
14 of our Lord one thousand eight hundred and  
15 forty.

SEC. 12. *Be it further enacted,* That this  
2 Act shall not go into operation and become a  
3 law unless a majority of the legal voters, who  
4 shall vote on said question in the several towns  
5 and plantations within the limits of said County,  
6 shall vote in favor of the same, which votes shall  
7 be received, sorted, counted, declared and sealed  
8 up in the same manner as votes for Senators to  
9 the Legislature of this State, and said votes  
10 shall be returned into the Secretary of State's  
11 office on or before the twentieth day of October  
12 next, and it shall be the duty of the Governor  
13 and Council, as soon as may be, to open and ex-  
14 amine said votes; and if a majority of the votes  
15 legally returned shall be in favor of a removal  
16 of the shiretown of said County from Machias  
17 to Calais, the Governor shall proclaim the fact  
18 by proclamation forthwith, and this Act shall  
19 take effect from and after the date of said pro-

20 clamation—and said town and plantation meet-  
21 ings for the purposes aforesaid shall be called  
22 and notified in the usual manner, and shall be  
23 holden on the second Tuesday of September  
24 next, and an article shall be inserted in the war-  
25 rants calling said meetings in the following words  
26 —viz: “Shall the Shiretown of the County of  
27 Washington be removed from Machias and es-  
28 tablished at Calais?” And the voters shall give  
29 in their ballots with the words “Yea” or  
30 “Nay” on that question: And it shall be the  
31 duty of the Secretary of State seasonably to  
32 furnish the Selectmen of each town and the As-  
33 sessors of each plantation in said County, with  
34 one printed copy of this Act, and a suitable  
35 number of Blank Returns.

SEC. 13. *Be it further enacted*, That the  
2 eleventh [twelfth] Section of this Act shall take  
3 effect and be in force from the passage hereof.

## STATE OF MAINE.

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IN SENATE, Jan. 25, 1839.

This Bill was read once and laid upon the table, and  
ORDERED, That 500 copies of the same be printed for  
the use of the Legislature.

(Extract from the Journal.)

WILLIAM TRAFTON, *Secretary*.