

# 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. 40.**

**HOUSE.**

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## A N A C T

ESTABLISHING THE

COUNTY OF AROOSTOOK.

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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 establishing the County of Aroostook.

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SEC. 1. *Be it enacted by the Senate and  
2 House of Representatives in Legislature  
3 assembled, That from and after the first day of  
4 May next, all that part of the State lying north  
5 of the north line of the fourth Range of town-  
6 ships north of the Lottery townships, and east  
7 of the dividing line between Ranges Five and  
8 Six west of the east line of the State, and of a  
9 line from the north termination of the said divid-  
10 ing line and running the same course, to the  
11 north line of the State, be and is hereby consti-  
12 tuted and made a County by the name of  
13 Aroostook, whereof Houlton shall be the Shire-  
14 town: And the inhabitants of the before  
15 described territory, from and after the first day  
16 of May next, shall have and possess, use and  
17 enjoy, all the powers, rights, privileges and  
18 immunities, and be subject to all the duties,*

19 which by the Constitution and laws of the State  
20 are granted to and imposed upon the inhabitants  
21 of other counties.

SEC. 2. *Be it further enacted*, That the  
2 several towns and plantations, their officers and  
3 agents, and the owners of lands in unorganized  
4 townships, in the County of Aroostook, shall  
5 pay to the Treasurers of the Counties of Penob-  
6 scot and Washington, respectively, in the same  
7 manner as they have paid previously to the pass-  
8 ing of this Act, their due proportion of all taxes  
9 and assessments, granted, apportioned or as-  
10 sessed, prior to the passing of this Act. And  
11 the Treasurers for the Counties of Penobscot  
12 and Washington shall, respectively, have the  
13 same power and authority, to proceed with, and  
14 collect from all such towns and plantations, their  
15 officers and agents, and from the owners of lands  
16 in such unorganized townships, their due pro-  
17 portion of all such taxes, granted, apportioned  
18 and assessed as aforesaid.

SEC. 3. *Be it further enacted*, That from  
2 and after the first day of May next, there shall  
3 be held annually, at Houlton, within and for  
4 said County of Aroostook, two terms of the

5 District Court, to wit : on the third Tuesday  
6 of January and the first Tuesday of July. And  
7 after the said first day of May next, there shall  
8 be held annually, at Houlton, on the third Tues-  
9 day of January, and on the first Tuesday of July  
10 a Court of County Commissioners. And the  
11 Justices of the District Court, and the County  
12 Commissioners of said County of Aroostook,  
13 shall have, exercise and possess, all the powers,  
14 and do and perform all the duties which Justices  
15 of said Court, and the County Commissioners  
16 of counties can have, exercise and perform in  
17 other counties.

SEC. 4. *Be it further enacted*, That from  
2 and after the first day of May next, there shall  
3 be a Court of Probate in and for the County of  
4 Aroostook, to be held at such times and places,  
5 as shall be designated by the Judge of said  
6 court, and by law ; and the Judge of said Court  
7 shall have the same powers, exercise the same  
8 jurisdiction, and perform the same duties as  
9 Judges of Probate have, exercise and perform  
10 in other counties.

SEC. 5. *Be it further enacted*, That from  
2 and after the first day of May next, the Supreme

3 Judicial Court to held within and for the  
4 County of Washington, shall be holden for said  
5 Counties of Washington and Aroostook, and  
6 shall from time to time have the same jurisdic-  
7 tion, power and authority, for the trial of all  
8 actions, civil and criminal, the cause whereof  
9 has arisen or shall arise within the body of the  
10 County of Aroostook; to determine all other  
11 matters and things, which have arisen or may  
12 arise within the body of said County of Aroos-  
13 took; and shall have the same judgment there-  
14 upon, as might have been had by the Supreme  
15 Judicial Courts held within and for the Coun-  
16 ties of Penobscot and Washington, had not this  
17 Act passed.

SEC. 6. *Be it further enacted*, That from  
2 and after the first day of May next all actions,  
3 suits, matters and things at that time commenced  
4 or pending in the Court of Common Pleas or  
5 District Court for the County of Washington,  
6 wherein any question to real estate in the  
7 County of Aroostook is to be tried, or wherein  
8 the plaintiff or plaintiffs, petitioner or petitioners,  
9 one or more of them reside within the County  
10 of Aroostook, and all recognizances, indict-



11 ments, writs of scire facias, and suits in which  
12 the State is a party, and the adverse party lives  
13 in the County of Aroostook, commenced or  
14 pending before the first day of May next, in the  
15 Court of Common Pleas or District Court in  
16 the County of Washington, or in the County of  
17 Penobscot, shall be transferred to be heard and  
18 tried, and have day in the District Court to be  
19 held in and for the County of Aroostook, and all  
20 papers and documents, belonging to such actions,  
21 suits, recognizances, indictments and matters  
22 filed in the offices of the Clerks of the Courts of  
23 Common Pleas in Washington and Penobscot  
24 Counties, shall be by the said Clerks delivered  
25 over to the Clerk of the Judicial Courts in the  
26 County of, for the County of Aroostook, and  
27 all and every petition, process, matter or thing,  
28 at the same time pending in the Courts of the  
29 County Commissioners in the Counties of Wash-  
30 ington and Penobscot, the subject matter of  
31 which shall be within the County of Aroostook,  
32 shall be proceeded upon and finally settled in  
33 the County of Aroostook.

SEC. 7. *Be it further enacted,* That all  
2 Justices of the Peace and of the Quorum, and

3 all persons appointed to qualify civil officers, and  
4 all Coroners, duly qualified to act as such within  
5 and for the Counties of Penobscot and Wash-  
6 ington, who shall when this Act takes effect  
7 reside in the County of Aroostook, be and they  
8 are hereby authorized and empowered to act as  
9 such within and for the County of Aroostook,  
10 during the term for which they were appointed  
11 and commissioned.

SEC. 8. *Be it further enacted,* That the  
2 respective Justices of the Peace for the Coun-  
3 ties of Penobscot and Washington, who shall  
4 reside in the County of Aroostook when this  
5 Act shall take effect, be and they are hereby  
6 authorized to issue executions upon all judg-  
7 ments and recognizances recovered and taken  
8 before them respectively, and to perform and  
9 finish all matters and things commenced or  
10 pending before them respectively, in their said  
11 official capacity, in the same manner as they  
12 might have done had not this Act passed.

SEC. 9. *Be it further enacted,* That the first  
2 County Treasurer and Register of Deeds for  
3 the County of Aroostook, shall be chosen in the  
4 same manner, and with the same tenure of office

5 as is provided by law when vacancies happen  
6 by death or resignation.

SEC. 10. *Be it further enacted,* That until  
2 a Register of Deeds shall be appointed and  
3 qualified, from and after the first day of May  
4 next, all deeds and conveyances of real estate,  
5 and other documents entitled to registry in the  
6 office of Register of Deeds for the County of  
7 Aroostook, may be recorded in the Register  
8 of Deeds' office in the North Registry District  
9 in the County of Washington, and such registry  
10 shall have the same effect as though recorded in  
11 the Register of Deeds' office for the County of  
12 Aroostook.

SEC. 11. *Be it further enacted,* That all  
2 officers within and for the County of Aroostook,  
3 having authority to commit any prisoner or  
4 debtor to jail, shall be authorized and required,  
5 for the term of five years from and after the  
6 passing of this Act, if so long required by the  
7 County of Aroostook, to commit such prisoner  
8 or debtor to the jail in the County of Penobscot  
9 or in the County of Washington, in the same  
10 manner as like officers of said last mentioned

11 Counties were by law authorized and required  
12 to do before the passing of this Act. And the  
13 keepers of said jails are hereby authorized and  
14 required to receive and detain in their custody  
15 all such prisoners and debtors; and all persons  
16 so committed to jail, in either of the Counties  
17 of Penobscot or Washington, from the County  
18 of Aroostook, shall be entitled to the same  
19 rights and privileges as though they lived or had  
20 their home in the County where committed as  
21 aforesaid. *Provided however*, that the County  
22 of Aroostook shall be liable to pay to the respec-  
23 tive Counties of Penobscot and Washington,  
24 all expenses or damages which may or shall  
25 arise or accrue from such commitment.

SEC. 12. *Be it further enacted*, That  
2 the Governor and Council, previous to the first  
3 day of May next, are authorized and empowered  
4 to nominate and appoint a Sheriff, Clerk of the  
5 Judicial Courts, Judge of Probate, Register of  
6 Probate, County Commissioners, and all other  
7 civil officers, that are or may be legal for them  
8 to appoint, for said County, who may enter upon  
9 the duties of their respective offices from and  
10 after the first day of May next.



## STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
March 7, 1839. }

This Bill having had two readings, was laid on the table,  
and 300 copies ordered to be printed for the use of the  
Legislature.

GEO. ROBINSON, *Clerk.*