

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

THIRD LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1823.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 20, 1820.

PORTLAND:

BY TODD AND SMITH.....PRINTERS TO THE STATE:

1823.

CHAPTER CCXXV.

AN ACT authorizing the Supreme Judicial Court to lay out and alter public highways, in certain cases.

S. J. Court may direct laying out &c. of highways in or through two or more adjoining counties

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That the Justices of the Supreme Judicial Court, be, and they are hereby vested with all the authority, to lay out and alter public highways, in or through two or more adjoining counties, that the Justices of the Courts of Sessions have to lay out and alter public highways, in their respective counties.

Committee how selected.

SECT. 2. *Be it further enacted,* That the committee appointed by the said Supreme Judicial Court, for the purpose of laying out or altering any public highway as aforesaid, may be taken from either or all the counties, through which such road or contemplated road shall pass, and shall divide the expense attending the same, between the counties in or through which such public highway shall pass, according to the distance in each county, and shall report their doings with the damages awarded, as soon as may be, to the Court of Sessions in each county, in which such public highway, so laid out or altered, shall pass; and the said Court of Sessions shall have the same proceedings on such report, after the acceptance thereof in the Supreme Judicial Court, as on one made by a committee of their own appointment. And the committee appointed in virtue of this act, shall make report of their doings to the first term of the Supreme Judicial Court holden in either county in which such public highway passes, next after they have performed the service assigned them.

Expenses how adjusted.

Proceedings on report of Committee.

[*This Act passed February 8, 1823.*]

CHAPTER CCXXVI.

AN ACT to provide for the erection and government of a State Prison.

State Prison at Thomaston.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That a State Prison be erected and established in the town

of Thomaston; and that the Governor, with advice of Council, be, and he hereby is, authorised to appoint, during pleasure, a Committee of three discreet persons to purchase for the State, a suitable lot of land in said town, on which to erect such Prison, and other buildings necessary for the employment of convicts. And the Governor, with the advice of Council, shall appoint some suitable person, whose duty it shall be to superintend the erection of said Prison, and other necessary buildings, for the accommodation of the keeper, and employment of convicts, as soon as may be, after a suitable site therefor shall have been purchased by said Committee, in conformity with the principles of the plan returned to this Legislature, by the Committee appointed under a Resolve, passed February second, eighteen hundred and twenty-two; and conforming to such instructions as may be given to him by the Governor. Said superintendent may build by contract, or otherwise, said Prison, and also such other necessary buildings, or any part thereof, as he may deem best for the interest of the State; and shall, when required, make a return of his doings to the Governor; and on or before the second Wednesday of the first session of the next Legislature, make a return thereof of his doings, and exhibit a fair account of his proceedings and expenditures. And he is hereby authorized and empowered to employ such sub-agents and workmen as may be necessary in the completion of said buildings.

Committee to purchase lot, &c

Superintendent to erect the prison, &c.

Superintendent to employ sub-agents, &c.

SECT. 2. *Be it further enacted,* That as soon as said Prison is so far completed as, in the opinion of the Governor and Council, it shall be safe, the Governor may, and he is hereby authorized, by warrant, under his hand and seal, directed to the keeper of said Prison, or to such other officer as he may think proper, to require him or them, to remove to said State Prison, from any gaol within this State, any male convict, who may have been sentenced to confinement to hard labor, for terms not then expired, there to be detained, in execution of such sentence; and the keeper of said Prison, and all officers and keep-

Governor to remove convicts to prison when completed.

ers of the gaols in the several counties, are hereby authorized and required to execute and obey such warrants.

Keeper of prison to be appointed by Governor.

Keeper's powers and duties.

SECT. 3. *Be it further enacted*, That the Governor, with the advice of Council, be, and he is hereby authorized to appoint and commission, during pleasure, some suitable person to be keeper of said State Prison, who shall have the care, custody, rule and charge of the same, and of all persons therein confined, and of all the lands, buildings, machines, implements, tools, materials, and provisions, appurtenant or belonging to said establishment; and whose duty it shall be to render to the next Legislature a just account of all his doings.

Rules and regulations to be established by the Governor.

SECT. 4. *Be it further enacted*, That the Governor be, and he hereby is authorized, to make and establish such by-laws, orders and regulations, for the government and direction of said Prison, and for the employment and management of the convicts, as he may, from time to time, think proper; which by-laws shall be respected and enforced, until further provision shall be made for the government of said Prison, by the Legislature.

Governor may draw warrants on the Treasurer for money in favor of superintendent, when necessary.

SECT. 5. *Be it further enacted*, That the Governor, with advice of Council, be, and he is hereby authorized, to draw his warrants upon the Treasurer, from time to time, for such sums of money, as may be necessary to carry this act into effect; not exceeding in the whole, the sum of thirty thousand dollars; requiring of the superintendent, such security as he may deem expedient, for the faithful appropriation of such sums of money, as may be intrusted to him.

[*This Act passed February 8, 1823.*]

CHAPTER CCXXVII.

AN ACT additional to An Act directing the method of laying out, and making provision for the repair and amendment of highways.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That from and after the passing of this Act, when any per-