

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.

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-

son or persons shall be damaged in their property by the laying out, altering or accepting of any county road, such person or persons shall be entitled to receive from the county, in which said highway shall be located, the same reasonable compensation, which he or they are now entitled by law to receive from the town, in which such highway is laid out, altered or amended, or through which the same may pass, and the return thereof be accepted: And such highway shall be laid out, and the amount of compensation or damages therefor, shall be estimated by a committee of three or five freeholders in the same county, not interested, otherwise than as inhabitants thereof, to be appointed by the Court of Sessions of such county, in the same way and manner as is provided in the act to which this is additional; and the Courts of Sessions of the several counties, in the several cases before described, are hereby directed to allow and record such damages, when the same shall be estimated, under the provisions of existing laws, as charges against their respective counties; and to order the same to be paid out of the County Treasury.

Damages from laying out county roads to be sustained by county.

How estimated and paid.

SECT. 2. *Be it further enacted,* That all acts, and parts of acts, inconsistent with the provisions of this act, be and they hereby are repealed.

Repealing section.

[*This Act passed February 10, 1823.*]

CHAPTER CCXXVIII.

AN ACT additional to An Act regulating Judicial process and proceedings.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That in the several actions mentioned in the nineteenth section of the act to which this is additional, where the defendant is allowed to file his account in offset to the plaintiff's demand, it shall and may be lawful for the defendant in such actions, to file also any promissory note or notes, he may have, signed by such plaintiff, and made payable to the defendant, or to the defendant or his order, in offset to the plaintiff's demand;

Defendant may file notes as well as accounts in offset.