

# MAINE STATE LEGISLATURE

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# **PUBLIC ACTS**

OF THE

# **STATE OF MAINE,**

PASSED BY THE

# **SIXTH LEGISLATURE,**

**AT ITS SESSION, HELD IN JANUARY, 1826.**

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PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28th OF JUNE, 1826.

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**Portland.**

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1826.

be entered on the record: And if the demandant consent thereto, judgment shall be rendered on such consent, in the same manner, as on a verdict in favor of the demandant for such part recovered, and in favor of the defendant for the residue. But, if the demandant shall not consent to the said offer, and shall not recover judgment for any other part of the premises demanded, than shall have been offered, in manner aforesaid, he shall not recover costs after the entering of such notice on the record; but the defendant shall from that time recover his costs and have a separate judgment for the same.

Proceedings  
thereon.

[*Approved by the Governor, March 8, 1826.*]

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#### CHAPTER CCCXLV.

AN ACT additional to "An Act to establish a Registry of Deeds for the Western District of Lincoln county."

*BE it enacted by the Senate and House of Representatives, in Legislature assembled, That all deeds, extents, instruments and conveyances affecting the passing of real estate situate in the Western District of Lincoln county, and required by law to be recorded; shall and may be recorded in the Registry of Deeds for said county of Lincoln till the second Tuesday of September next.*

Registry of Deeds  
for Western Dis-  
trict of Lincoln  
county.

[*Approved by the Governor, March 8, 1826.*]

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#### CHAPTER CCCLXVI.

AN Additional ACT to promote the sale and settlement of Public Lands.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled, That the Land Agent of this State be authorized and directed, under the advice and consent of the Commissioners on the part of this State under the Constitution, in pursuance of*

Land Agent with  
advice of Com-  
missioners under  
Separation Act to  
explore and exam-  
ine timber land  
belonging to the  
State;

the provisions of the Act of the Commonwealth of Massachusetts by the Constitution adopted, or the major part of them, to cause such of the Public Lands, belonging to the State, as may be considered valuable principally for the timber thereon, to be explored and examined, and the quantity and value of the timber and the quality of the soil ascertained as nearly as may be, and to lay the result of such examination before said Commissioners. And said Commissioners, or a major part of them, with said Agent shall thereupon fix and determine what portions or tracts of the land so examined shall be sold, which tracts or portions shall be of such convenient size as they shall judge will command the readiest sale and best prices, and can be sold most to the interest of the State, and they shall fix to each such portion or tract the lowest price, at which the same may be sold. And said Agent, after advertising such townships and tracts, with the time and place of sale, in the public newspapers printed in Portland, Augusta, and Bangor, at least ninety days before the sale, may sell, by public auction to the highest bidder, such of the townships and tracts so advertised, as may command a higher price than was fixed by said Agent and Commissioners as aforesaid; and upon payment of one third of the purchase money to said Agent, and giving good security to the State, with sufficient sureties for the residue, payable in three equal annual instalments with interest annually; the said Agent is authorized to make and execute deeds of such townships or tracts to the purchasers. And the State shall in all cases have a lien on the land sold for the amount due for the purchase thereof, until the same, with the interest thereon, is fully paid. And neither said Commissioners, nor the Land Agent, nor any of his Agents or assistants shall be directly or indirectly concerned in the purchase of any lands from the State.

—and to offer for sale at their discretion, after notice.

How to be advertised.

Notice of sale security, payments, &c.

Lien on lands sold.

Commissioners & Agent not to be concerned in any purchase.

Land Agent, on sale of timber to require half of payment in cash and security for residue;

SECT. 2. *Be it further enacted,* That in all cases where the Land Agent is authorized to sell land or timber, it shall be his duty, at the time of making such sale, to require payment of one third of the purchase money and sufficient security for payment of the residue to the State in three equal annual instalments with interest annually.

— and to cause debts to State to be collected.

SECT. 3. *Be it further enacted,* That it shall be the duty of the Land Agent to collect, or cause to be collected all sums now due and which may become due, in such manner as he may think most safe and expeditious, and to pay over the same to the Treasurer of the State, as soon as may be after it is collected.

Part of former act repealed.

SECT. 4. *Be it further enacted,* That the fourth section of the Act passed February twenty-fifth, one thousand eight hundred and twenty-four, to promote the sale and settlement of the public lands, be, and the same hereby is repealed.

Agent authorized to execute deeds in certain cases.

SECT. 5. *Be it further enacted,* That the Land Agent be, and he hereby is authorized to execute deeds in behalf of the State, conveying any lands which have been or may be granted by the Legislature, so soon as the grantees have complied with the conditions of their respective grants.

[*Approved by the Governor, March 8, 1826.*]

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## CHAPTER CCCXLVII:

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

Powers & duties of Auditors appointed by Judicial Courts; and when to be appointed.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That if in any action, before the Supreme Judicial Court, or Court of Common Pleas, it shall appear, that an investigation of accounts, or an examination of vouchers is necessary, for the purposes of justice between the parties, the Court may, on the motion of either party, if made within the first four days of the term at which