

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

SIXTEENTH LEGISLATURE,

JANUARY SESSION, 1836.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

AUGUSTA:

SMITH & ROBINSON.....PRINTERS TO THE STATE.

1836.

SECT. 2. *Be it further enacted*, That the assignees of such debtor or debtors shall within fourteen days after any assignment shall have been made to them, give public notice thereof in some newspaper, printed in the County where any of said debtors reside, or, if no newspaper be published at the time of said assignment in the County where any of said debtors reside, in any adjoining County, allowing three months to all creditors to become parties to said assignment. And no assignment hereafter made by any debtor in this State for the benefit of his creditors shall be valid, except the provisions of this Act be complied with.

Public notice to be given within 14 days, that 3 months will be allowed creditors to become parties.

SECT. 3. *Be it further enacted*, That no assignee of any debtor in an assignment made under the provisions of this Act, shall be liable to trustee process for and on account of his having in his possession the property of the assigning debtor until the expiration of three months from the time notice is given as provided for in the second section of this Act; neither shall the property assigned be liable to attachment during said three months.

Assignee not liable to Justice process until after said three months.

Property not liable to attachment during said term.

[Approved by the Governor, April 1, 1836.]

Chapter 241.

AN ADDITIONAL ACT for the punishment of Felonious Assaults and attempts to Poison.

SECT. 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled*, That if any person shall assault another with intent to commit murder, every such offender and every person present aiding and abetting, or who shall be accessory before the fact, to the commission of the offence aforesaid, by counselling, hiring or procuring the same to be done and committed, and who shall be thereof duly convicted in the Supreme

Assault with intent to kill to be punished by confinement to hard labor.

—also abettors and accessories before the fact.

Judicial Court shall be punished by confinement to hard labor for such term not exceeding twenty years as the Court before whom the conviction may be, shall sentence and order.

Attempt to poison punishable by confinement to hard labor.

—also abettors and accessories before the fact.

SECT. 2. *Be it further enacted,* That if any person shall feloniously attempt to poison another or to cause and procure the same to be done with intent to commit murder, every such offender and every person present aiding and abetting or who shall be accessory before the fact to the commission of the offence aforesaid, by counselling hiring or procuring the same to be done and committed and who shall be thereof duly convicted in the Supreme Judicial Court, shall be punished by confinement to hard labor for such term not exceeding twenty years as the Court before whom the conviction may be shall sentence and order.

When convicted of part of charges in indictment may be sentenced and punished accordingly.

SECT. 3. *Be it further enacted,* That when any person indicted of any crime or misdemeanor, shall be by verdict of the jury of trials upon such indictment acquitted from part of such indictment and convicted of the residue thereof any such verdict may be accepted and recorded in the Court where such trial shall be; and thereupon such person so indicted may be adjudged to be guilty of the offence, if any, which shall appear to such Court to be substantially alledged in and by the residue of such indictment and shall be sentenced and punished accordingly.

Grand Jury may insert in indictments counts for lesser offences dependant upon same facts, and respondents may be found guilty and sentenced accordingly.

SECT. 4. *Be it further enacted,* That for all offences exclusively cognizable by the Supreme Judicial Court the Grand Jury in their discretion may insert in the indictment one or more counts for any lesser offence dependant upon the same facts and if the accused shall be convicted upon either count in such indictment such verdict may be accepted and recorded in the Court where such trial shall be: and every such offender shall be sentenced and punished accordingly.

SECT. 5. *Be it further enacted,* That all Acts and parts of Acts inconsistent with the provisions of this Act be and the same are hereby so far repealed.

[Approved by the Governor, April 1, 1836.]

Chapter 242.

AN ACT to provide for the repair of Highways in certain unincorporated Townships.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That from and after the passing of this Act, the County Commissioners for the several Counties in this State shall assess upon all unincorporated Townships or parts of unincorporated Townships in their respective Counties a sum of money sufficient to keep the County roads, now laid out and opened, or such other County roads as may be laid out and opened over such unincorporated Townships, in said County, in good repair, so that the same may be safe and convenient for travellers, horses, waggons, and other vehicles.

SECT. 2. *Be it further enacted,* That said County Commissioners shall make said assessment on or before the fifteenth day of May in each year, and shall publish a notice of the whole amount so assessed, specifying the amount assessed on such Township or part of Township, and the road, on which such assessment is to be expended, in some newspaper published in such County, and in the newspaper published by the printer to the State, as soon as may be, after such assessment shall have been made. And it shall be the duty of said Commissioners and they are hereby authorized to appoint suitable agents to expend in labor and materials said assessment or assessments in such proportions on the tract or tracts, specified in the notice aforesaid and in such manner as shall best effect the

Acts inconsistent repealed.

Unincorporated plantations to be taxed for opening and laying out county roads so far as they pass thro' such plantation.

Roads to be kept in good repair.

County Commissioners to make assessment on or before the 15th day of May annually.

—to publish notice thereof and of the road on which same is to be expended, in State paper.

—to appoint Agents to expend in labor and materials such assessment.