

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

SEVENTEENTH LEGISLATURE,

JANUARY SESSION, 1837.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

AUGUSTA:
SMITH & ROBINSON, PRINTERS TO THE STATE.

1837.

Chapter 258.

AN ACT constituting Ellsworth the Shire Town of the County of Hancock.

Ellsworth established the shire town of Hancock County from October 1, 1838.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That from and after the first day of October, in the year of our Lord, one thousand, eight hundred and thirty-eight, Ellsworth, in the County of Hancock, shall be and hereby is made the shire town of said County; and the terms of the Supreme Judicial Court, the Court of Common Pleas and the Court of County Commissioners now or hereafter established to be held for said County, shall be held at Ellsworth.

County Commissioners to provide suitable County buildings at Ellsworth.

SECT. 2. *Be it further enacted,* That it is hereby made the duty of the County Commissioners, previously to said first day of October, to provide at said Ellsworth, and at the expense of said County, suitable buildings, offices and accommodations for the holdings of said Courts, for the deposite and safe keeping of the records, documents and papers pertaining to the public offices, and also for the transaction by the County Officers of the business of the respective departments; and also a suitable jail for the safe keeping of such persons as may be committed or removed thereto.

Removal &c. of Clerk of Courts, Register of Deeds and of Probate Office, when to be removed to Ellsworth.

SECT. 3. *Be it further enacted,* That on said first day of October, all the records, documents, books, papers and other property, pertaining to the office of the Clerk of the Courts, and of the Register of Deeds, shall be removed to, and kept, and the business of said offices done at Ellsworth: The records, documents, books, papers and other property, pertaining to the Probate Office, shall be removed and kept at the County buildings in Ellsworth.

SECT. 4. *Be it further enacted,* That the County Commissioners are hereby authorized to

sell and convey or otherwise dispose of the lands and buildings, located at Castine, belonging to the County; also such furniture and other articles of County property, as they may think inexpedient to remove to Ellsworth.

Old county buildings to be sold.

SECT. 5. *Be it further enacted*, That, on said first day of October, the Sheriff of the County by himself or his Deputy, shall remove thereto the prisoners who may then be in close confinement in the jail at Castine, after which, the jail last mentioned shall no more be used as a public jail, but all commitments on legal process shall be to the jail at Ellsworth.

Prisoners, when to be removed.

SECT. 6. *Be it further enacted*, That all writs, executions, warrants, citations, venire, or other process whatever, in suits, civil or criminal, which may have been issued and made returnable after said first day of October to any term of any of the Courts aforesaid, shall be and hereby are made returnable to and shall have day and hearing at the term of said Court holden at Ellsworth at the time appointed in such process.

Writs and other processes made returnable at Ellsworth.

SECT. 7. *Be it further enacted*, That in all recognizances and bonds conditioned for the appearance of any person or persons at any term of a Court to be holden after said first day of October at Castine to answer, to show cause or to testify, such person or persons are hereby required to appear and answer, shew cause and testify at the term holden at Ellsworth on the day appointed in the recognizance or bond therefor: and a failure so to appear shall be held a forfeiture of the recognizance or bond.

Condition of Bonds and Recognizances to be so construed as to require appearance at Ellsworth.

SECT. 8. *Be it further enacted*, That in any jail bond by which any person may be bound to appear or surrender himself at the jail in Castine at a day subsequent to said first day of October, it shall be his duty to appear and surrender himself at the jail in Ellsworth instead of Castine; and a

—also jail bonds.

neglect so to do shall be held a breach of the condition of the bond; and if any debtor committed on execution shall have cited his creditor to appear at the jail house in Castine, to shew cause why he should not be discharged on taking the poor debtor's oath, and the jailor's office shall in the mean time have been removed to Ellsworth, the said parties shall be held to appear at said office in Ellsworth at the time appointed instead of the jail house in Castine.

Continued actions to be tried at Ellsworth.

SECT. 9. *Be it further enacted,* That all actions, suits, prosecutions, complaints, recognizances, indictments, bonds, informations and other matters or processes, civil or criminal, which shall on said first day of October stand continued or adjourned to any term of any Court to be holden at Castine, shall be considered and deemed to stand continued or adjourned to the same term to be holden at Ellsworth.

Acts and parts of Acts inconsistent, repealed.

SECT. 10. *Be it further enacted,* That all Acts and parts of Acts, inconsistent with the provisions of this Act, be and the same are hereby repealed.

Act to take effect on condition that the town of Ellsworth convey to the County the town house, &c.

SECT. 11. *Be it further enacted,* That this Act shall not take effect unless the inhabitants of said town of Ellsworth, shall, by legal and sufficient deed, within three months from the passage of this Act, convey to said County the town house in Ellsworth, with all the land pertaining thereto, being one acre or more, now belonging to said town.

[Approved by the Governor February 17, 1837.]

Chapter 259.

AN ACT to regulate the sale of Oats.

SECTION 1. *Be it enacted, by the Senate and House of Representatives in Legislature assembled,* That from and after the passage of this Act,