

# MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

EIGHTEENTH LEGISLATURE,

JANUARY SESSION, 1838.

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Published agreeably to the Resolve of June 28, 1820.

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AUGUSTA:  
LUTHER SEVERANCE, PRINTER.  
1838.

Penalty for re-  
fusal—how re-  
covered and ap-  
propriated.

either the vendor or vendee shall request it, then the measure of the same shall be determined by weight conformable to the standard aforesaid; and any vendor or vendee who shall, upon being requested, wilfully refuse to conform to the provisions of this act, shall for each offence, forfeit and pay five dollars for every one hundred bushels and in the same proportion for a greater or less quantity to the use of the person who may prosecute therefor, to be recovered by an action of debt before any court proper to try the same.

[Approved by the Governor February 24, 1838.]

### Chapter 310.

AN ACT giving to one Justice of the Supreme Judicial Court jurisdiction in cases of divorce.

One Justice of  
S. J. Court to  
have jurisdiction  
in cases of di-  
vorce.

*Be it enacted by the Senate and House of Representatives in Legislature assembled,* That any one of the Justices of the Supreme Judicial Court, be, and hereby is authorized and empowered, to hear and determine questions of divorce, in all cases where a majority of said Court are now so authorized and empowered—and any person who may be aggrieved at the opinion of said Justice upon a question of law, may file his exceptions to the same, and have a full hearing thereupon, before a majority of the members of said Court.

—aggrieved party may file exceptions.

[Approved by the Governor February 26, 1838.]

### Chapter 311.

AN ADDITIONAL ACT concerning the public money apportioned to the State of Maine.

Cities, towns &  
plantations re-  
leased from ob-  
ligation to re-  
fund surplus mo-  
ney.

*SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled,* That the several cities, towns and plantations in this State, are hereby released and exonerated from all obligation imposed on them by an act entitled "An Act provid-

ing for the disposition and repayment of the public money apportioned to the State of Maine on deposit, by the Government of the United States," passed March eighth in the year of our Lord one thousand eight hundred and thirty-seven, to refund or pay over to the State the sums of money respectively deposited with them by virtue of said Act.

SECT. 2. *Be it further enacted,* That the said cities, towns and plantations are hereby authorized and empowered, at their annual meetings in the month of March or April, to distribute the same, per capita, among the inhabitants thereof, according to the enumeration taken in the year of our Lord one thousand eight hundred and thirty-seven, or otherwise dispose of the same as they may any money accruing in the treasury from taxation; and if distributed, that each person shall receive his or her proportion in the city, town or plantation where he or she was so enumerated, and in no other.

Empowered to distribute same per capita, or in same manner as money accruing from taxation—

when distributed where received.

SECT. 3. *Be it further enacted,* That the Treasurer of State is hereby authorized and required to pay over to the County Commissioners of the several Counties in this State, the proportion of the surplus revenue money belonging to persons resident in any part of the State, upon lands not included within the bounds of any city, town or organized plantation who were enumerated agreeably to an act to which this is additional, and before said County Commissioners shall receive said money from the Treasurer as aforesaid, they shall give bonds for the faithful discharge of the duties imposed on them by this act, to be approved by the Governor and Council, and as soon as may be, after they shall have received said money, they shall distribute the same, per capita, to such persons resident as aforesaid within their respective Counties.

Treasurer of State to pay over to County Commissioners in certain cases.

County Commissioners to give bonds to distribute same per capita.

SECT. 4. *Be it further enacted,* That all acts and parts of acts inconsistent with the provisions of this act, be, and hereby are repealed. And this act shall

Former acts repealed.

This act when to take effect.

take effect and be in force as soon as it shall be approved by the Governor.

[Approved by the Governor February 23, 1838.]

### Chapter 312.

AN ACT ceding to the United States of America the jurisdiction of certain tracts of land for the purpose of erecting Light Houses thereon.

Jurisdiction of certain Islands ceded to the U. States for the erection of Light Houses and other buildings.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That there be, and hereby is ceded to the said United States, the jurisdiction of several islands and parts of islands, for the purpose of erecting Light Houses, and any other buildings which may be found expedient by the Government of the said United States, thereon, to wit:—First: All of the island, in the Bay of Boothbay, at the mouth of Damariscotta River, called and known by the name of Ram Island, containing about four acres; situated north-west of Fisherman's Island and about ten rods therefrom. Second: A part of Eagle Island, so called, lying in Penobscot Bay; bounded as follows, to wit: beginning at a stake on the south shore of said island, eight feet west of a large yellow birch tree spotted, and standing about fifteen rods south-westerly of the site selected for a light-house; thence running north sixty-six degrees west across said island, to a stake one rod from the north shore thereof; thence north one rod through the centre of a spring to high water mark; thence north-easterly, south-easterly and south-westerly around the shore, by said high water mark to the place of beginning; containing six acres more or less. Third: A part of another island in said Penobscot Bay, called Great Spoon Island, bounded as follows, to wit: beginning at the shore, south-easterly of the spot selected for a light-house, thence running south-west by west seventy rods by the shore to the south-westerly shore of said island; thence north-westerly twenty-

Boundaries.