

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-THIRD LEGISLATURE

OF THE

S T A T E O F M A I N E ,

A. D. 1843.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.  
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AUGUSTA:

WM. R. SMITH & Co., PRINTERS TO THE STATE.

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1843.

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RESOLVES

OF THE

STATE OF MAINE,

1843.

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## Chapter 147.

CHAP. 147.

Resolve making an appropriation for the repair of the Houlton and Baring road.

*Resolved*, That there be, and hereby is appropriated, the sum of two hundred dollars for the repair of the Houlton and Baring road through the Indian township, in the county of Washington, to be expended under the direction of an agent, appointed by the governor and council, at a compensation not to exceed one dollar and fifty cents per day, and said agent be directed to divide the road into four equal sections, and give proper notice for proposals to be received for the repair of said road, in the manner that said agent may deem most proper for the public good, and let out said sections to the lowest bidder, who will present sufficient surety for the performance of his contracts.

Houlton and Baring road, \$200.

How expended.

Proposals.

[*Approved February 24, 1843.*]

## Chapter 148.

Resolve relating to certain judicial proceedings.

*Whereas*, the office of David Dunn, esquire, in Poland, was consumed by fire on or about the 7th of February, A. D. 1843, and many precepts, records and securities were also consumed by the said fire, therefore

Preamble and resolve in regard to certain papers destroyed by fire in the office of David Dunn.

*Resolved*, That when, in any action now entered, or which may be hereafter entered in any of the courts in this state, or before any justice of the peace, it shall be made to appear to the reasonable satisfaction of said court or justice, by affidavit or otherwise, that the writ, after proper service, was destroyed by said fire, it shall be the duty of such court or justice to allow the plaintiff to file a new writ, corresponding as near as may be as to date and cause of action, and then to proceed to final judgment in the same manner as if the said original writ had been duly preserved and filed, and it shall be lawful and proper for any officer who may have made an attachment on such original writ, to return the same or make a certificate thereof on such new writ, and thereby such attachment shall be preserved and deemed valid, in the same way and manner as if the original writ had been duly preserved, returned and filed.

Plaintiff may file new writ, &c.

Proceedings of the officer on such writ.

*Resolved*, That when it shall be made to appear to the reasonable satisfaction of any clerk of courts or justice of the peace, that any execution issued from his office, was destroyed by said fire, it shall be his duty to issue another of the same date and tenor with the addition of fifteen cents therefor.

Clerk may issue new execution, &c.

**CHAP. 149.**

Suits and contro-  
versies on ac-  
count of such pa-  
pers, &c.

*Resolved*, That in any suit or controversy, in which evidence may be offered as to the contents, tenor or nature of any account-books, notes, contracts, precepts or records which were destroyed by said fire, it shall be lawful and proper to examine the parties to such suit or controversy, under oath, in which case the questions to such parties shall be put only by the court or justice. And these resolves shall take effect from their approval by the governor.

[*Approved February 24, 1843.*]

**Chapter 149.**

Resolve in relation to state valuation.

Valuation of Pas-  
sadamkeag and  
Lowell correct-  
ed.

*Resolved*, That the number of polls set to the valuation of the town of Passadamkeag, in the county of Penobscot, be sixty one, and the amount of estates set against said town, be twenty one thousand six hundred and fifty four dollars, instead of the number and sum fixed by the valuation of eighteen hundred and forty one ; and that the valuation of the town of Lowell, in said county, be sixty six polls, and twenty one thousand, three hundred and two dollars, as estates ; and all state and county taxes shall be assessed accordingly. This resolve to take effect from the date of its approval.

[*Approved March 2, 1843.*]

**Chapter 150.**

Resolve to correct the valuation of the towns of Greenbush and Chester, and for correcting the state and county taxes of said towns.

Valuation of  
towns of Green-  
bush and Chester  
corrected.

*Resolved*, That so much of a resolve, passed on the thirteenth day of April, in the year of our Lord eighteen hundred and forty one, as relates to the valuation of the towns of Greenbush and Chester, in the county of Penobscot, and to the aggregate valuation of said county, be repealed ; and that the valuation of said town of Greenbush, be eleven thousand one hundred dollars, instead of sixteen thousand three hundred and fifty nine dollars and ten cents ; and that the valuation of said town of Chester, be fourteen thousand dollars, instead of seventeen thousand four hundred and eighty eight dollars and eighty four cents ; and that the aggregate valuation of said county, be six million, one hundred and nine thousand five hundred and sixty seven dollars and six cents.

Valuation of  
county of Penob-  
scot corrected.

[*Approved March 3, 1843.*]