

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

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

Augusta:

WILLIAM T. JOHNSON,.....PRINTER TO THE STATE.

1846.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1846.

real and personal estate may lawfully do. And the said company are authorized to carry on at the lower falls on the outlet of Thompson's pond in the town of Oxford, in the county of Oxford, the manufacture of cotton, and such other materials as may be necessarily or conveniently connected therewith, and may erect and construct such machinery, mills and other buildings as may be useful for that purpose.

SECT. 2. This act shall take effect and be in force from and after its approval by the governor.

[Approved July 10, 1846.]

CHAP. 336.

Articles of manufacture.

Chapter 336.

An Act regulating the stripping of weirs on the Damariscotta river.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

All weirs upon the Damariscotta river that are covered with nets, shall hereafter be stripped, so as to admit the free passage of fish through the same, by the first day of October in each year, instead of the time now prescribed by law, under the same penalties as are provided in the fifteenth section of the sixty-first chapter of the revised statutes.

Weirs to be stripped by the first day of Oct. in each year.

—under same penalties as are provided in § 15, chap. 61, R. S.

[Approved July 10, 1846.]

Chapter 337.

An Act constituting East Machias the shire town of the county of Washington.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECTION 1. That from and after the first Tuesday of October, in the year of our Lord one thousand eight hundred and forty-eight, East Machias in the county of Washington, is hereby made the shire town of said county, and the terms of the supreme judicial court, the district court, and the court of county commissioners, now or hereafter established, to be held for said county, shall be held at East Machias.

East Machias constituted the shire town of Washington county.

SECT. 2. It is hereby made the duty of the county commissioners, previously to said first Tuesday of October, to provide at said East Machias and at the expense of the county, suitable buildings,

County commissioners to provide suitable buildings.

CHAP. 337.

offices and accommodations for the holding of said courts, for the deposit and safe keeping of the records, documents and papers pertaining to the public affairs; 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.

Records, documents, books and papers, to be removed from Machias to East Machias.

SECT. 3. On said first Tuesday of October, all the records, documents, books, papers and other property pertaining to the office of the clerk of the courts and the register of deeds for the county of Washington, shall be removed to and be kept, and the business of said officers done, at East Machias; the records, documents, books, papers and other property pertaining to the probate office, shall be removed and kept at the county buildings in East Machias.

County land and buildings, at Machias, to be disposed of.

SECT. 4. The county commissioners are hereby authorized to sell and convey or otherwise dispose of the lands and buildings located at Machias, belonging to the county; also such furniture and other articles of county property as they may think inexpedient to remove to East Machias.

Sheriff to remove prisoners.

SECT. 5. On said first Tuesday of October, the sheriff of the county, by himself or his deputy or deputies, shall remove thereto the prisoners who may be in close confinement in the jail at Machias, 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 East Machias.

All processes returnable after 1st Tuesday of Oct. made returnable to courts holden at East Machias.

SECT. 6. All writs, executions, warrants, citations, venires or other process whatever, in suit civil or criminal, which may be returnable after said first Tuesday of October, to any of the courts aforesaid, shall be and hereby are made returnable to, and shall have day and hearing at the term of said courts holden at East Machias, at the time appointed in such process.

Persons held to appear at any term of a court to be holden after said day, required to appear at the term holden at East Machias.

SECT. 7. In all recognizances and bonds conditioned for the appearance of any person or persons, or corporations, at any term of a court to be holden after the said first Tuesday of October, at Machias, to answer, to show cause or to testify, such person or persons or corporation are hereby required to appear and answer, shew cause and testify, at the term holden at East Machias 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.

—bound by any jail bond to appear at a day subsequent to said first Tuesday of October.

SECT. 8. In any jail bond, by which any person may be bound to appear or surrender himself at the jail in Machias, at a day subsequent to the said first Tuesday of October, it shall be his duty to appear and surrender himself at the jail in East Machias instead

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

CHAP. 337.

If any debtor, shall have cited his creditor to appear at the jail in Machias.

SECT. 9. All actions, suits, prosecutions, complaints, recognizances, indictments, bonds, informations and other matters or processes, civil or criminal, which shall on said first Tuesday of October, stand continued or adjourned to any term of any court to be holden at Machias, shall be considered and deemed to stand continued or adjourned to the same term to be holden at East Machias.

Actions or other processes standing continued, or adjourned to any term of any court to be holden at Machias.

SECT. 10. All acts and parts of acts inconsistent with the provisions of this act, are hereby so far repealed as they may be so inconsistent.

Inconsistent acts repealed.

SECT. 11. Said county commissioners shall be authorized and required in behalf of and on the credit of said county, to make a loan of money, upon the best terms they may be able, sufficient to defray the expense which shall be incurred by them in providing the buildings, offices, jail and other accommodations required to be provided by them, by the provisions of the second section of this act, and that no county tax including the amount, or a part of the amount, shall be assessed upon said county, until the year eighteen hundred and forty-eight.

County commissioners authorized to make a loan of money.

SECT. 12. This act shall not go into operation and become a law unless a majority of the legal voters who shall vote on said question, in the several towns and plantations within the limits of said county, shall vote in favor of the same, which votes shall be received, sorted, counted, declared and sealed up, in the same manner as votes for senators to the legislature of this state; and the said votes shall be returned into the secretary of state's office, on or before the twentieth day of October next; and it shall be the duty of the governor and council, as soon as may be, to open and examine said votes, and if a majority of the votes legally returned, shall be in favor of a removal of the shire town of said county from Machias to East Machias, the governor shall proclaim the fact by proclamation, forthwith, and this act shall take effect from and after the date of said proclamation; and said town and plantation meetings for the purposes aforesaid, shall be called and notified in the usual manner, and shall be holden on the second Monday of September next, and an article shall be inserted in the warrant

When to take effect.

CHAP. 338. calling said meeting, in the following words, viz: shall all the judicial courts and county officers in the county of Washington, be located at East Machias instead of Machias as they now are? and the voters shall give in their ballots with the words "yea" or "nay" on that question; and it shall be the duty of the secretary of state seasonably to furnish the selectmen of each town and the assessors of each plantation in said county, with one printed copy of this act and a suitable number of blank returns.

SECT. 13. The twelfth section of this act shall take effect and be in force from the passage hereof.

[Approved July 11, 1846.]

Chapter 338.

An Act to incorporate the Whitefield Manufacturing Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

- Corporators.** SECTION 1. Sanford K. Patridge, Joseph T. Chaney, their associates and successors, are hereby incorporated into a body politic,
- Corporate name.** by the name of the Whitefield Manufacturing Company, with all the rights, privileges and immunities, and subject to all the liabilities and restrictions provided by the laws of this state, for the government and regulation of similar corporations.
- Organization.** SECT. 2. Said company may be organized at a legal meeting, held for that purpose, and the proceedings shall be determined by a majority of the members present.
- Authorized to hold real and personal estate.** SECT. 3. Said company shall have power to hold real and personal estate, not to exceed at any one time seventy-five thousand dollars.
- Power to erect mills.** SECT. 4. Said company are hereby authorized to erect on the Sheepscot river near Turner's mills in the town of Whitefield, such mills and other buildings with machinery, and dig such canals on their own land, as shall be necessary to the carrying on the manufacturing of cotton and woolen goods, meal, flour, iron, steel and wood, for machinery and merchandise.
- Articles of manufacture.** SECT. 5. Said company are hereby authorized to expend a sum not exceeding one half of their capital stock in the purchase of real estate and in erecting and completing said mills, buildings and machinery.
- Amount to be expended in real estate, and erecting mills, &c.**