

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

EXTRA SESSION OF THE THIRTY-SECOND LEGISLATURE, 1853,

AND THE

THIRTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE,

1854.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1854.

Chapter 60.

An act to establish the county of Androscoggin.

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

Boundaries.

SECT. 1. The towns of Lewiston, Lisbon, and Webster, in the county of Lincoln; Auburn, Danville, Durham, Minot, and Poland, in the county of Cumberland; Livermore and Turner, in the county of Oxford; and East Livermore, Greene, Leeds, and Wales, in the county of Kennebec, are hereby constituted a county, by the name of Androscoggin; the permanent shire town thereof shall be either Lewiston, Auburn, or Danville, to be determined as hereinafter provided; and the county buildings shall be located within the limits of the Lewiston Falls village corporation; and said county shall have and possess, use and enjoy, all the powers, rights, privileges, and immunities, and be subject to all the duties, which, by the constitution and laws of this state, are granted to and imposed upon the inhabitants of other counties.

Shire town.

Powers,
privileges and
immunities.

S. J. court, when
holden.

SECT. 2. There shall be annually holden, in said county of Androscoggin, two terms of the supreme judicial court, for the transaction of such business, as is by law cognizable by one justice thereof; which terms shall be on the fourth Tuesdays of January and of August; and said court shall have the same power and jurisdiction as it has in other counties. Also two terms of the court of county commissioners, on the first Tuesdays of April and October; and said commissioners shall have all the powers, and perform all the duties, which county commissioners, in other counties, have and perform.

Court of county
commissioners.

Court of probate.

SECT. 3. There shall be a court of probate in said county of Androscoggin, to be held in the shire town of said county, at such times as shall be designated by the judge of said court, or by law; and the judge of said court shall have the same powers and jurisdiction, and perform the same duties, as judges of probate have and perform in other counties.

Judicial district.

SECT. 4. The county of Androscoggin shall compose a part of the western judicial district, as now established in this state; and all questions of law and equity, arising in said county, shall be disposed of, and the same proceedings, in relation thereto, be had, as are provided by law for such cases in other counties in said district.

Matters pending
in said courts,
where com-
pleted.

SECT. 5. All business pending, when this act shall take effect, in the supreme judicial courts, probate courts, and county commissioners' courts, in the counties of Lincoln, Cumberland,

Oxford, and Kennebec, of which this county would have jurisdiction, shall be completed in said counties, the same as if this act had not passed; but all processes, commenced within the territory herein before described, and not by law required to be entered before this act shall take effect, shall be entered at the first term of the appropriate court held in said county of Androscoggin, although said processes may issue from, and be signed and served by officers of any of said four counties.

SECT. 6. All officers in the county of Androscoggin, having authority to commit any prisoner or debtor to jail, shall be authorized and required to commit such persons to jail in the county of Cumberland, until a jail shall be prepared in the county of Androscoggin for the reception of prisoners, and the sheriff thereof shall be notified to that effect; and the keeper of the jail in Cumberland county is hereby required to receive and detain in his custody all such persons; and said persons shall be entitled to the same rights and privileges, as though they resided in the county of Cumberland; and it is hereby made the duty of all magistrates, and civil officers of the county of Cumberland, to perform all acts relating to such persons, as they are authorized and required by law to do for other persons arrested or committed within the county of Cumberland; and the county of Androscoggin shall pay to the county of Cumberland all expense or damage which may accrue from such commitments.

Prisoners and debtors to be committed to jail in Cumberland county.

SECT. 7. The several towns within the county of Androscoggin, their officers and agents, shall pay to the treasurers of the several counties of Cumberland, Lincoln, Oxford, and Kennebec, respectively, in the same manner as they have paid previous to the passage of this act, their due proportion of all county taxes assessed prior to the first day of April, in the year of our Lord one thousand eight hundred and fifty-four.

County taxes assessed prior to April 1, 1854, to whom paid.

SECT. 8. For all purposes relating to the election of representatives to congress, and of senators and representatives to the state legislature, the several portions of the county of Androscoggin shall remain parts of the districts to which they respectively belonged, before the passage of this act.

Senatorial and representative districts.

SECT. 9. All justices of the peace and of the quorum, and all persons appointed to qualify civil officers; all persons appointed to solemnize marriages, and all coroners duly commissioned and qualified to act as such, within and for the respective counties from which this county is formed, who shall, when this act takes effect, reside in this county, are hereby authorized to

Powers of civil officers.

CHAP. 60.

act as such, in this county, during the time for which they were appointed, and to issue any processes necessary to finish the business pending before them, when this act takes effect.

Certain officers
to be appointed.

SECT. 10. The governor, with the advice and consent of the council, from and after the passage of this act, shall appoint a sheriff, judge, and register of probate, and all other civil officers that it may be legal for him to appoint, for the county of Androscoggin.

Same subject.

SECT. 11. The governor, with the advice and consent of the council, is also authorized, from and after the passage of this act, to appoint the clerk of the courts, county attorney, county commissioners, register of deeds, and county treasurer, for said county of Androscoggin, to hold their respective offices until their places shall be filled in the manner now prescribed by law in other counties, unless sooner removed for cause.

Shire town.

SECT. 12. For the purpose of determining which of the three towns of Lewiston, Auburn, or Danville, shall be the shire town of said county, the legal voters of the several towns in the same, shall, on the first Monday of October next, give in their votes, bearing upon them the name of one of the three towns aforesaid, which each voter may prefer.

—how deter-
mined.

And these votes shall be returned by the several town clerks to the county commissioners of said county, within ten days, to be by them counted; and the town having a majority of the votes shall be the shire town; but if neither of the said towns shall have a majority, said county commissioners shall notify the selectmen of the several towns of that fact, and the number of votes for each town; and said selectmen shall duly call meetings of their several towns on the first Monday of November next, to determine, by ballot, which of the two towns having the highest number of votes at the first trial, shall constitute the shire town of said county. And the clerks of the several towns shall make return of said votes to the county commissioners, to be by them counted. And said county commissioners shall certify, under their hands, to the governor and council, which town has been selected, as aforesaid, to be the shire town of said county; and the governor shall thereupon make proclamation to that effect. And from and after said proclamation, the town thus selected shall be the shire town of said county, to all intents and purposes, the same as if it had been designated in this act. But, until the shire town shall be permanently designated as aforesaid, Lewiston shall be the shire town; and the courts shall be there held, and all county officers there established, until suitable buildings are prepared.

SECT. 13. The judge of probate of the county of Androscoggin, shall receive a salary of two hundred dollars; the register of probate three hundred dollars, and the county attorney two hundred dollars, to be paid in the manner provided by law, for such salaries in other counties.

CHAP. 61.
Salaries of judge and register of probate, and county attorney.

SECT. 14. This act shall take effect on the thirty-first day of March, in the year of our Lord, one thousand eight hundred and fifty-four.

[Approved March 18, 1854.]

Chapter 61.

An act to amend the eighty-second chapter of the revised statutes.

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

The eighty-second chapter of the revised statutes is hereby amended, by striking out the second section, and inserting instead thereof a new section in the following words:

Limitation of amount to be paid by the state to agricultural societies.

SECT. 2. If there shall be three such societies in a county, the payment from the state treasurer shall not exceed one hundred and fifty dollars to each of them; if two, and only two, two hundred dollars to each of them. And if there be only one such society, the payment thereto shall not exceed three hundred dollars.

[Approved March 20, 1854.]

Chapter 62.

An act in addition to the one hundred and fifty-fifth chapter of the revised statutes.

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

If any person shall willfully and maliciously set fire to any dwelling-house, owned by himself in whole or in part, or to any other building owned by himself or another, with the intent that such dwelling-house shall be burnt, and if by the kindling of such fire, or the burning of such other building, such dwelling-house shall be burnt, whether in the day time or in the night time, and if any other person at the time of the commission of such offense shall be lawfully in the dwelling-house so burnt, such offender shall be punished by imprisonment for life in the state prison.

Malicious burning of a dwelling.

[Approved March 20, 1854.]