

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1865.

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

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1865.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1865.

such sureties as he may order, and in a sum sufficient to protect him against any judgment which the plaintiff may recover against him, and which he shall have paid, and also sufficient to cover all legal costs of such supposed trustee in the suit, together with the costs allowed him by the justice at the hearing of the petition, if he appears; and such bond shall be approved by the justice and filed in the clerk's office for the benefit of such trustee. And the copy and certificate authorized in section six, when delivered to the trustee or trustees, shall vacate the attachment of all goods, effects and credits of the party petitioning, in the hands or possession of such trustee or trustees.

SECT. 10. The clerk of the court shall be paid two dollars for recording the petition and proceedings, and making the copy thereof and certificate provided by section six; and the register of deeds shall receive seventy-five cents for recording the same. When required to be filed as provided in the last section, the clerk or officer receiving the same shall receive twenty cents for such filing and the necessary certificate thereof; and the party finally prevailing in the suit shall recover the costs of the proceedings herein authorized, to be taxed in the same manner as other costs of court are taxed, and to be certified by the justice hearing the petition, and execution shall issue therefor accordingly.

SECT. 11. This act shall take effect when approved.

Approved February 25, 1865.

Fees of clerk,
\$2.

Fees of register
of deeds, 75
cents.

Fees for filing,
25 cents.

Costs of
prevailing
party, how
taxed.

Chapter 334.

An act to change the place of holding the supreme judicial court in the county of Somerset and to change the shire town of Somerset county.

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

SECT. 1. The several terms of the supreme judicial court which are now required to be holden at Norridgewock, in and for the county of Somerset, shall, after the first day of November, in the present year, be holden at Skowhegan, in said county; and all writs, process of any kind, and all proceedings, shall, after that time, be made returnable accordingly; and all writs, processes, and proceedings commenced prior to that time, and which would otherwise be returnable to the December term of said court at Norridgewock, shall be entered and have day in said court at Skowhegan.

Shire town of
Somerset co.
changed from
Norridgewock
to Skowhegan.
Writs, &c.,
how made
returnable.

SECT. 2. After the expiration of seven years from the passage of this act, the county commissioners of the county of Somerset, or a majority of them, are hereby authorized and empowered to

Court house,
when to be
erected.

CHAP. 334.

cause a court house to be erected at Skowhegan, suitable for the accommodation of the courts of said county, and to procure a loan of money for that purpose, and assess taxes for the payment of the same in such amounts, and at such times, as in their judgment shall best accord with the interests and wishes of the citizens of said county. And said commissioners or a majority of them, shall determine, after said seven years have expired and not before, at what time according to the interests and wishes of said citizens, the construction of said court house shall be commenced, not, however, to exceed twenty years.

Act void unless Skowhegan provides court house, &c.

SECT. 3. The previous sections of this act shall be wholly void and of no effect, unless the town of Skowhegan aforesaid shall on or before the first day of November, in the present year, without expense to said county of Somerset, provide a suitable court room and other accommodations for the said court and officers, and also a safe and convenient place in said town of Skowhegan, wherein to secure persons charged with crimes or offences during each session of said court to be held as aforesaid, to the acceptance of a majority of said county commissioners, and shall execute and deliver to them a good and sufficient lease, or other instrument to secure the use thereof to said county for the purpose aforesaid, during such time as said court shall be held at said Skowhegan, and until suitable buildings for the accommodation of the courts are erected as before provided.

Lot of land for co. buildings to be conveyed to county within seven years.

SECT. 4. Before the expiration of the seven years aforesaid, the town of Skowhegan shall convey to said county of Somerset, a convenient and commodious lot of land, situate in the village of Skowhegan, and suitable for the erection thereon of the buildings aforesaid, and satisfactory to a majority of the county commissioners, which shall remain the property of said county so long as said buildings shall be occupied for the purposes aforesaid; and if they neglect so to do, this act shall become null and void.

Co. commissioners to give notice of provision for court room, &c.

SECT. 5. The county commissioners aforesaid, shall on or before the tenth day of November next, cause notice of the fact that the town of Skowhegan has provided a suitable court room and all other things required by the third section of this act, to be published in all the public newspapers printed in said county, and also in the Lewiston Daily Journal, and in the Kennebec Journal or other state paper, printed at Augusta, the first publication to be made between the first and tenth days of November aforesaid, and to be continued in all the daily and weekly issues of each of said papers for three weeks successively thereafter.

Inhabitants of Skowhegan may raise money and assess taxes.

SECT. 6. The inhabitants of Skowhegan are hereby authorized to raise money for the purposes named in this act. Taxes therefor, may be assessed at such times, and in such amounts, as they may vote.

SECT. 7. If the inhabitants of Skowhegan shall, at any time before the erection and completion of suitable county buildings, neglect or refuse to provide a suitable court room and all other things required by section three, then this act shall be void, and wholly cease to be of any further effect.

CHAP. 334.

Act void on neglect to provide suitable court room, &c.

SECT. 8. Whenever suitable buildings shall have been erected as authorized by section two of this act, the county commissioners, or a majority of them, shall make known the fact by publishing notice in the same newspapers and for the same length of time as above required; and said commissioners shall cause the records in all the county offices, including the registry of deeds, registry of probate, the records of the court of county commissioners and all the records and files of the former court of common pleas of the late district court, and of the supreme judicial court, to be removed to the places prepared for them in the county buildings at Skowhegan; and all of said courts shall thereafter be held at Skowhegan, which shall from that time forward be the shire town of the county.

Notice to be given after erection of co. buildings.

Removal of records.

SECT. 9. Until such removal, the office of the clerk of the courts, except during term time, and the registry of deeds, and of probate, shall be and remain at Norridgewock as now by law provided.

Office of clerk, &c., where to be kept.

SECT. 10. The legal voters of said county of Somerset, shall at the annual election, of state and county officers to be held in September eighteen hundred sixty-five, within their several towns and plantations give in their ballots for or against the change of the place of holding the supreme judicial court in said county, and of changing the shire town of said county as herein before provided; and all those voters in favor of changing the shire town and place of holding said court as provided in this bill, shall give in their ballots with the word, *yes*, written or printed thereon, and those opposed with the word, *no*, written or printed thereon; and the same shall be received, sorted, counted and returned in the same manner as votes for county officers; and the governor shall immediately after the same shall have been counted, make proclamation of the result and cause the same to be published in the several papers published in said county of Somerset, three weeks successively after the first publication thereof; and if it shall appear that the majority of such ballots shall have written or printed thereon the word, *no*, then this act shall be null and void.

Inhabitants to give in their votes for or against the change of place of holding S. J. C., &c.

Ballots, how to be given in.

—how received, sorted, &c. Proclamation to be made and published.

Effects of proclamation and return of vote.

SECT. 11. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 12. This act shall take effect when approved by the governor.