

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1878.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 18, 1840, and March 16, 1842.

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AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1878.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.  
1878.

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## CHAP. 48.

## Chapter 48.

An act additional to "an act to facilitate the prompt administration of justice by establishing a Superior Court in Kennebec County."

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

Act establishing superior court in Kennebec county, amended.

SECT. 1. An act entitled "an act to facilitate the prompt administration of justice by establishing a Superior Court in Kennebec County," approved February five, Anno Domini eighteen hundred and seventy-eight, is hereby amended by adding thereto the following section :

Clerk of said court shall certify certain indictments to S. J. C.

'SECT. 19. When any indictment is found for any of the offenses described in sections one and two of chapter one hundred and seventeen of the revised statutes, sections two, three, four, five, six, eight, nine, ten, eleven, twelve, thirteen, fifteen, twenty-five and twenty-seven of chapter one hundred and eighteen of the revised statutes, sections one, two and three of chapter one hundred and nineteen of the revised statutes, the clerk of said superior court shall certify and transmit the indictment to the supreme judicial court for said county, at the next term, where it shall be entered. The supreme judicial court shall have cognizance and jurisdiction thereof, and proceedings shall be had thereon in the same manner as if the indictment had been found in that court.'

--jurisdiction.

Sec. 13 amended.

SECT. 2. Section thirteen of said act is hereby amended by adding thereto the following words: 'All actions commenced prior to March first, eighteen hundred and seventy-eight, may be entered at the term of the supreme judicial court, to which they have been made legally returnable.'

Actions commenced prior to Mar. 1, 1878, where entered.

Sec. 3 amended.

SECT. 3. Section three of said act is hereby amended by adding thereto the words, 'Section five of chapter one hundred and fifteen of the revised statutes, so far as it limits the compensation of clerks of judicial courts, shall not apply to fees received by the clerk of the superior court for Kennebec county.'

Fees of clerk

Sec. 15 amended.

SECT. 4. Section fifteen of said act is hereby amended by striking out the word "October," and inserting in place thereof the word 'August.'

August substituted for October.

Sec. 17 amended.

SECT. 5. Section seventeen of said act is hereby amended by striking out the words "at the end of the next October term thereof," and inserting in place thereof the words 'at the end of the next August term thereof.'

August substituted for October.

SECT. 6. Section sixteen of said act is amended by adding thereto the following words: 'Whenever the justice of said superior court shall be disqualified by relationship, or other lawful cause, from trying any criminal case pending in said court, said case shall thereupon be certified and transmitted to the supreme judicial court for said county, and disposed of in said court according to law.'

CHAP. 49.

Sec. 16 amended.

When justice shall be disqualified from trying criminal case, it shall be transmitted to S. J. court.

SECT. 7. Section two of the act abolishing the August term of the supreme judicial court for Kennebec county, approved February six, Anno Domini eighteen hundred and seventy-eight, is hereby modified so as to conform to the provisions of this act.

Sec. 2 of act abolishing August term of S. J. C., modified to conform to this act.

SECT. 8. This act shall take effect March first, eighteen hundred and seventy-eight.

To take effect Mar. 1, 1878.

Approved February 19, 1878.

### Chapter 49.

An act to more fully carry out the proviso of section ten of the act of Congress, chapter one hundred and seventy-seven, of the acts of eighteen hundred and sixty-eight, making compensation for the lands assigned by Maine to settlers.

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

SECT. 1. In all cases where the person certified in the return of Noah Barker, to the land office, under commission dated September one, eighteen hundred and sixty-eight, as entitled to deeds of the lots assigned under the Treaty of Washington, have not received such deeds, the land agent shall forthwith make and deliver such deeds, according to said report, to the person named, or to his legal assignee where such assignment is by deed, or to the legal heirs of such person.

Land agent to convey lands to certain parties.

SECT. 2. Whenever any settler to whom a lot of land was assigned under the Treaty of Washington, by the commissioners appointed under resolve of February twenty-one, in the year of our Lord eighteen hundred and forty-three, or by the commissioners appointed under resolve of April twenty-one, in the year of our Lord eighteen hundred and fifty-four, or any person lawfully claiming under such settler,

Settlers evicted from lot assigned under treaty of Washington, may claim compensation.