

The Oxford Democrat

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"THE WORLD IS GOVERNED TOO MUCH."

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PARIS, MAINE, FRIDAY, APRIL 24, 1868.

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P. E. SHAW,
Editor and Proprietor.

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WEST SUMNER, ME.
March 13, 1868.

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will attend to the practice of

Medicine and Surgery,
At Paris Hill, Maine.
Paris, Feb. 14, 1868. 6m*

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Business promptly attended to and charges reasonable.

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At the Office formerly occupied by Virgin & King,
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One of the parties will attend the Probate Courts. Particular attention given to collection. All claims of Soldiers and their Heirs attended to by Upton, as heretofore. Also, Fire and Life Insurance in best Companies.
HERBERT UPTON. WM. W. VIRGIN,
Norway, Aug. 6, 1863.

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Counsellors & Attorneys at Law
Also, AGENTS FOR PROSECUTING
Bounties, Back Pay & Pensions,
DIXFIELD.
WM. W. BOLSTER. E. B. RICHARDSON.

POETRY.

Young Again.

I'm growing old, but what of that!
The winter snows are in my hair
And like an antiquated cat,
I love my fire and easy chair.

To sit and think and read the news
Through pobbles train that bridge my nose
A matted stool beneath my shoes,
To coax the dull blood to my toes.

I'm growing old, but what of that!
Each falling snow, each twinge of pain,
But tells me with familiar chat,
I'm coming to my youth again;

And bids me joy that change eternal
Reveries, renews the meadow thing—
That life is born when grasses turn,
That out of winter leaps the spring.

And such a spring! Rejoice, oh me!
That age and midlife pass away,
That a brief cycle sets me free
To launch into unending day.

The snows shall fade from out my hair,
Dim eyes and weakness flee with pain,
Heart's ease the wrack led back repair,
And all my youth come back again.

Night plumes his wings and turns to day,
Mid joy and bells the year is born,
To all things seem to pass away,
To all shall come another morn.

Him we call Death, with kindly hand,
Plants the daisies of the plain,
And when o'er me he waves his hand,
I shall renew my youth again.

[Harper's Magazine, for April.

[From the Lynn Reporter.]
Practice What you Preach.

Among the very many things
Known as a settled fact,
Is this—that 'tis much easier
To talk than 'tis to act.

We're very fond, all will admit,
Good theories to teach;
But oh, how rarely are we seen
To "practice what we preach."

Now if to society
We ratify the rule,
Wouldn't it look well as sensible
To behave ourselves in school?

If we tell others what fine fruit
Is hanging in their reach,
Suppose we gather some ourselves,
Or "practice what we preach."

If we talk temperance, let's be sure
We heed its wholesome laws,
And not by inconsistencies
Bring shame unto our cause.

Be temperate in our daily walks,
In action and in speech,
Proving unto the outer world
We practice what we preach.

If we extol fidelity,
And love to brother man,
Let's try and follow out with care
Those precepts, if we can.

When we teach honesty, and warn
Men not to overreach,
Set the example first, ourselves,
And practice what we preach.

We love the counsel or who strives
Our wayward course to stay,
The wise, consistent man who lives
His sermons every day.

But what good is pretentious words,
And silver-sounding speech,
If we don't heed our own advice,
And practice what we preach?

The Covered Bridge.
BY DAVID BARKER.

Tell the fainting soul in the weary form,
There's a world of the purest bliss
That is linked, as that cool and form are linked
By a covered bridge with this.

Yet to reach that realm, on the other shore,
We must pass through a transient gloom,
And must walk unseen, unhelped and alone
Through that covered bridge—the tomb.

But we all pass over on equal terms;
For the universal toll
Is the outer garb, which the hand of God
Has flung around the soul.

Though the eye is dim, and the bridge is dark,
And the river it spans is wide,
Yet faith points through to a shining mount,
That looms on the other side.

To climb our feet in the next day's march
To climb up that golden ridge,
We must all lie down for a night's rest,
Inside of the covered bridge.

MISCELLANY.

SCANDAL.

A STORY FOR SUSPICIOUS PEOPLE.

A lady purchased a home in a beautiful village, about forty miles from a well-known city. She longed for fresh air and quiet scenes, and doubtless she would have found all the happiness which she sought in this beautiful retreat, had not the place been haunted by that terrible spectre—Scandal.

"Have you seen the new arrival?" asked Mrs. Thomas of her neighbor, Mrs. Lawrence, about a week after the stranger took possession of Maple Cottage, as the little place she had purchased was called.

Mrs. Thomas, who was very jealous and suspicious, translated this sign-language in her own way. Being extremely sensitive as to what "Mrs. Grundy" might say, she was always on the watch, lest, accidentally, she should be seen speaking to persons of low character; therefore she caught at this straw, and turned it over in her mind until she made out a serious case for the stranger.

"I have no doubt," she said to her husband at tea-time, "that she had a bad reputation in the city. She has come here, dressed in deep mourning, but who knows whether she ever had a husband? And if she had, her wearing black is no sign he's dead; in my opinion," and Mrs. Thomas drew her mouth into a most sanctimonious expression—a look which always indicated the pharisaical "I am better than thou!"

The next day quite a crowd had gathered in the store of Mr. Thomas, waiting for the arrival of the daily mail, which was due about this hour. The stranger came in to make some trifling purchases, and was stared at by the people, as strangers always are.

After she left the store, some remarks were made, concerning her lady-like appearance. Mr. Thomas immediately rejoined, "Yes, she appears enough like a lady, but my wife thinks her reputation none of the best."

Customers coming in, nothing more was said at the time, but the fire of scandal was kindled—the story spread rapidly, each one telling it his own way, until there was not a family in the place but heard and believed the lying rumor.

Weeks passed on, and the inmate of Maple Cottage felt that for some reason, she was looked upon with suspicion and dislike. There was no hostility, nothing said or done, for which she could demand an explanation. She tried to remember some act or word which could have given offence; but in vain did she recall to her mind every word she had ever exchanged with the villagers—she could remember nothing in her conduct to warrant such neglect and she could only suffer in silence.

Every day seemed to increase the avoidance of her neighbors; and she, seeing this, ceased making overtures toward an acquaintance with them, sending to the city for her household supplies, and never came in contact with any of them, save at church; and even here she found a whole seat at her disposal.

At last, the storm which had so long darkened the village horizon, seemed about to burst over her devoted head. There were low threats of driving her out from the place, and the mob spirit seemed to be gathering strength.

About this time, some three months after the stranger came to Maple Cottage a very handsome traveling carriage drawn by a span of noble grays, stopped in front of her dwelling, and a fine-looking man, apparently about fifty years of age, with his wife and two children, were seen to alight and enter the house. All that day, and through the evening, there were heard the sound of happy voices, and from the piano rang out merry strains, mingled with the rippling laughter of joyous hearts.

The next day was Sunday, but this time the widow did not sit alone. Strange looks, and low murmured words rang through the congregation, and the minister seemed to share the surprise of his audience, and looked and preached as though under painful embarrassment. He recognized in the stranger, a minister whose reputation was world wide—no other than the rich and the distinguished President of—College, from which college he was a graduate.

Prof. C. remembered his former pupil, but it must be confessed, he was both surprised and disappointed. He had given the young man credit for individual talent, but this sermon was a repetition of poor platitudes, and a truckling to public opinion, which showed a weak and little mind.

After service, the president stopped a moment until the preacher came forward, and when greetings were over, he said kindly, "My sister wrote me that Richard Forbes was preaching here, but I did not connect the name with the memory of my former pupil."

"Your sister?" said the embarrassed young man. "I did not know that I had ever had the honor of preaching before such a hearer. You do not mean to say that the woman with whom you entered is your sister?"

"And why not?" It was now Prof. C's turn to look surprised.

Sure enough, why not? What did he know against the woman of whom all had been "speaking evil" for the last three months. He had taken these cruel surmises for granted, and had been so far influenced by the scandal that he had failed to call upon the stranger. A sense of the impropriety and guilt of his conduct rushed across his mind—suppose the woman was really the disgraced and guilty being that public opinion—the public opinion of the village—claimed, was it not his duty to save sinners? Christ came, "not to call the righteous, but sinners to repentance!" How had he

fulfilled this mission? And yet he stood in his pulpit and claimed to be a follower of the meek and lowly Saviour.

"There is something about this matter that I cannot understand," said Prof. C., as he scanned the changing countenance of the young preacher. "You do not mean to say that my sister has been a resident of your place, and a listener to your preaching for three months, without your calling upon her? The duties of a preacher are surely better defined—"

"But I did not dare!"—and here the poor man stammered and stopped; for he could not excuse himself without exposing the gossip of the congregation.

"Did not dare to call on my sister, the widow of General Finch!"—and a tinge of contempt mingled with the look of surprise and indignation with which he contemplated the abashed and crestfallen young preacher.

After reaching his sister's residence he questioned her in regard to the matter, but here he was again baffled. She could only tell that, since her residence in the place, she had been "let alone," in the full acceptance of the term. Determined to understand the wherefore of such a proceeding, he again demanded an explanation of the minister, who was finally compelled to admit that he had supposed from the gossip of his church members, that the woman was a very outcast from society, and that there had been talk of driving her from the place.

"She will not care to remain," said the professor; "but before she goes I shall sift this matter thoroughly; and so he did, gathering up, link by link, the whole chain of scandal, until he came to Mrs. Lawrence. But this the latter utterly denied, and Mrs. Thomas was at last obliged to confess that Mrs. Lawrence had merely shrugged her shoulders and curled her lip when asked her opinion of her new neighbor.

"Ah, indeed!" was Mrs. Lawrence's rejoinder. "I remember of thinking she could not be much of a lady, as she wore a faded dress and did her own washing."

And there the matter rested. Mrs. Lawrence, with a look and shrug of the shoulders, and Mrs. Thomas, by her jealous surmises, had caused sorrow and pain to an innocent person—they had, in fact, stolen the good name of one who had never injured them; and but for the timely appearance of her brother, the consequences might have been still more serious.

The professor preached the following Sunday, and at the conclusion of the discourse he repeated the tale of wrong, and added, "Had this woman really been poor and friendless, as supposed, what would the end have been? Deprived of her good name, and, in consequence, of all means of earning a livelihood, she would doubtless have become discouraged and despondent, and sunk down to the grave, a victim to the scandal of those falsely calling themselves Christians; and you, in the sight of God, would not only have been classed among liars, but murderers!"

[From the Portland Transcript.]
Mr. Dickens's Reading.

Portland has heard Dickens, and its verdict is, that he is a consummate actor, and as an interpreter of his own works is perfectly unique and unrivalled.

The audience filled the great hall, and was one of the most select ever gathered in Portland, comprising not only the elite of our own city, but a considerable portion of the State. It was not, as a whole, entirely sympathetic with the reader, a feeling of curiosity prevailing at first, and slowly giving way to one of wonder and delight. It was not noisily demonstrative, even in its laughter, but there was much quiet enjoyment of the fun. It was the description of "Marley's ghost," and how Scrooge, looking through his waistcoat "could see the two buttons on his coat behind" and then knew for certain that Marley had no bowels, that first brought out a hearty laugh. After that the good points were all appreciated.

Mr. Dickens came in with a rapid, gliding, sort of movement, and taking his place in front of the large maroon-colored screen, and behind the little maroon-colored stand, where the gas jets above threw a strong light upon him and brought him out against the dark background to the best advantage, said, in a hearty English voice, "Ladies and Gentlemen—I have the honor to read you a Christmas Carol in four staves." He is a genial, pleasant-looking man, of middle age, with a ruddy complexion, and a sharp, clear cut profile, a broad, high, retreating forehead, scanty hair, combed mostly into curls; a figure of medium height, not portly but broad shouldered and tapering down to slender legs. His photographs give no idea of his genial expression. We don't know what those people would have who talk about his not coming up to their ideal, and wish they had never seen him. Did they expect to see a solemn, dignified personage, or a demi-god? To us Mr. Dickens appears like a hearty companionable man, with a deal of fun in him, a good story-teller, an acute observer, full of quick appreciation for and sympathy with all forms

of human nature, alive to all the better impulses of the heart, and just the man to record the doings of the immortal Pickwick Club, and to scourge "Squeers" with his satire.

But what sort of a reader is he? Well he doesn't read at all. He puts the book aside at the outset, and never refers to it. He comes in much as some familiar friend might do—a friend who is perfectly at home and always welcome, a ready-tongued, imitative sort of man, who always has some comical thing to relate—and in a perfectly easy unaffected and thoroughly colloquial tone, tells you the story. It is not reading, it is story-telling. And he doesn't by any means, confine himself to the text. He not only trims down his selections, but he improvises without regard to what is written. As an elocutionist he could never succeed. His voice is husky, not powerful, and this together with his constant use of the rising inflection, makes his reading of mere narrative monotonous. But it is his dramatic genius that overcomes these defects. His power of facial expression is wonderful; it is as much what he does as what he says that constitutes the charm of his performance. He gives a distinct voice to each character, and to an extraordinary extent assumes the personality of each. At one moment he is savage old Scrooge, at the next, his jolly nephew, and in the twinkling of an eye little timid, lisping Bob Cratchit appears. All this is effected by the play of features as well as the varying tones of voice. It is the comical or the savage twist of the mouth—the former to the right, the latter to the left—the elongation of the face, the roll or twinkle of the eyes, and above all the wonderful lift of the eyebrows, that produce such surprising and delightful effects. And then he not only personates his characters, he performs their actions.

This he does by means of his wonderfully flexible fingers, which he converts at pleasure into a company of dancers, and makes to act and speak in a hundred ways. He rubs and pats his hands, he flourishes all his fingers, he shakes them, he points them, he makes them equal to a whole stage company in the performance of the parts. But then the man himself is also there. Dickens, the author, comes in at intervals to enjoy his own fun; you see him in the twinkle of the eye and the curve of the mouth. When the audience laughs he beams all over with radiant appreciation of the fun.

Old Scrooge, with his nasal growl, and savage twist of the mouth was represented to the life. The scene when "Bob" tells what "Tiny Tim" said coming from church is in the highest degree pathetic, and brought tears to sympathetic eyes. But we agree with Kate Field that Bob's cry at the death of Tim, "My little, little child," is given with too dramatic an air. Bob would not have been so demonstrative—But the pudding! was there ever such another! How we smell that cloth, how we sniff and almost taste the pudding. This scene was highly enjoyed by the audience. Fezziwig's party was capably presented, and the way in which Topper is represented as always in pursuit of the plump sister was as good as a play. Here the sly twist of the mouth and the twinkle of the eye came admirably into play.

As for the Trial from Pickwick, the scene was presented with wonderful dramatic power. It was marred, however, by being so much cut down to bring it within the time allotted to it. Mr. Dickens, it seemed to us, did not quite present the personality of the pompous Buzfuz, but he brought out the strong points of his speech with most comical effect. Here the rising inflection of voice aided in producing the most amusing results. But Justice Stareleigh was the great success of the place. His owl-like gravity and entire stupidity were represented to the life. The effects were here produced by a most surprising play of features. The mouth became weak and drawn down, the eyes wide-open, round and blinking, the eyebrows elevated in a constant effort to maintain the judicial dignity. In this character, Mr. Dickens entirely disappeared, and the little Justice stood in his place. It was a wonderful personation and was highly appreciated by the audience. Sam Weller was slyly humorous, and as for old Tony, when he asked in his gruffest tones, "O Samiel, Samiel, by wahn't there a halley-bi?" the house roared, and under cover of that laugh Mr. Dickens disappeared from our sight forever.

Well, it is a great pleasure to have seen and heard him; hereafter his works will have a reality and power greater than ever before, for faith in the man and his thoroughly genial and humane spirit is strengthened and confirmed by his own interpretation of himself.

A Justice, better versed in law than gospel, not long since married a couple in this way: "Hold up your hands. You solemnly swear that you will perform the duties of your office, jointly and severally, according to your best skill and judgment. So help you God—fee one dollar.

WEST OXFORD AGRICULTURAL SOCIETY.
Revised List of Premiums, Committees, &c., for Fair, Oct. 13, 14 and 15, 1868:
LIVE STOCK.
Horses.
Committee—Isaac A. Walker, of Stow; Moses Bemis, Fryeburg; T. W. Rankins, Hiram.
For best Stallion, 4 years old and upward, kept in the county for mares during the season, 4 00, second do., 2 00, third do., 1 00.
best breeding mare with stock, 2 00, second do., 1 00.
best family horse, or roadster, 2 00, second do., 1 00.
best horse of all work, 2 00, second do., 1 00.
best pair matched carriage horses, 2 00, second do., 1 00.
best pair matched colts, 2 00, second do., 1 00.
best three years old colt, 1 00, second do., 50 cts.
best two years old colt, 75 cts, second do., 50 cts.
best one year old colt, 75 cts, second do., 50 cts.
best colt not more than six months old, 50 cts.
best trotting stallion, 5 00, second do 3 00.
best trotting mare or gelding, 5 00, second do., 3 00, third do., 1 00.
best trotting 4 year old colt, 2 00, second do., 1 00.
best trotting three years old colt, 2 00, second do., 1 00.
best trotting horse, wherever owned, 10 00.
best walking horse, wherever owned, 1 00.
All horses will be thoroughly examined and tested; their size, constitution and docility will be considered, as well as their speed, action and spirit. The pedigree and stock of stallions should be exhibited, in order that they may receive special consideration. Matched horses and colts will be examined in harness. Family horses, and horses of all work will be tried in carriage or cart, in walking, trotting, backing, turning, minding the word, &c.
NEAT STOCK, TOWN TEAMS, SHEEP, SWINE AND POULTRY.
Committee—I. W. Davis, of Denmark; Lewis Howe, Fryeburg; Benj. Webber, Sweden.
For best cow, breeding and milking properties considered, 3 00, second do. 2 00, third do. 1 00.
best two years old heifer, 2 00, second do., 1 00, third do., 50 cts.
best one year old heifer, 2 00, second do., 1 00, third do., 50 cts.
best heifer calf, 1 00, second do., 50 cts.
best yoke of working oxen, 4 00, second do., 3 00, third do., 2 00.
best yoke fat oxen, 4 00, second do., 3 00, third do., 2 00.
best fat cow, 2 00, second do. 1 00.
best fat heifer, 2 00, second do., 1 00.
best full blood Durham bull, two years old and upwards, 5 00, second do., 3 00, third do., 2 00.
best full blood Devon bull, two years old and upwards, 5 00, second do., 3 00, third do., 2 00.
best full blood Hereford bull, two years old and upwards, 5 00, second do., 3 00, third do., 2 00.
best native or grade bull, two years old and upwards, 3 00, second do. 2 00, third do. 1 00.
best yearling bull, 2 00, second do. 1 00.
best yoke three years old steers, 3 00, second do. 2 00.
best yoke two years old steers, 3 00, second do. 2 00.
best yoke yearling steers, 2 00, second do. 1 00.
best bull calf, 2 00, second do. 1 00.
best herd of neat cattle, not less than 8 from one farm, including all exhibited by the owner, 5 00, second do. 4 00, third do. 3 00.
best town team of not less than 8 vokes, 12 00, second do. 8 00, third do 6 00.
best town team of three years old steers, not less than 8 vokes, 8 00, second do. 6 00, third do. 4 00.
The same for two years old steers.
The several town teams will be driven around the course immediately after examination by the Committee.
For best flock of long woolled sheep, not less than six, 3 00, second do. 2 00, third do. 1 00.
best flock of short woolled sheep, not less than six, 3 00, second do. 2 00, third do. 1 00.
best long woolled buck, 2 00 second do., 1 00
best short woolled buck, 2 00, second do. 1 00
best fleece of long wool, 1 00, second do. 50 cts.
best fleece of short wool, 1 00, second do. 50 cts.
best row, 3 00, second do. 2 00, third do. 1 00.
best pigs, not less than three, 2 00, second do. 1 00.
best essay on fattening swine, giving actual experiments, with details of the process and an expense, 2 00, second do. 1 00.
best flock of fowls, not less than six, 2 00, second do. 1 00.
best brood chickens, not less than six, 2 00, second do. 1 00.
geese, same.
ducks, same.
best essay on poultry, raising, feeding, profits, &c., 1 00, second do. 50 cts.
The committee will pay particular attention to the size, strength, age, discipline and general appearance of working oxen, and will require them to be tested on the cart or drag. Animals raised and trained by the owner or exhibitor, and giving evidence of proper training, are worthy of special regard. A written statement will be required of the manner and expense of feeding fat cattle. Claims for full blood must be sustained by a certificate.
[Continued on 2nd page.]

The Oxford Democrat

PARIS, MAINE, APRIL 24, 1868.

Second District. UNION REPUBLICAN CONVENTION.

The Union Republicans of the Second Congressional District are requested to meet in Convention by delegates, at Auburn, on Wednesday, the 6th day of May next, at one o'clock P. M., to select two delegates to represent the District in the National Union Republican Convention, to be held in Chicago, Ill., on Wednesday, the 30th day of May next, for the purpose of nominating candidates for the office of President and Vice President of the United States.

The basis of representation will be as follows: Each city, town and plantation, one delegate; an additional delegate for the first fifty votes cast for the Union Republican candidate for Governor in 1867, and an additional delegate for each additional one hundred votes cast for said candidate; a majority fraction of one hundred will entitle to an additional delegate.

CHAS. J. TALBOT, District.
JAMES T. CLARK, Committee.
R. P. WILKINSON, Committee.
ROBERT MARTIN, Committee.
March 30, 1868.

UNION REPUBLICAN CAUCUS.

The Union Republicans of the Town of Paris are requested to meet at the Town House on SATURDAY, the second day of May next, at four o'clock P. M., to select six delegates to attend the District Convention to be held at Lewiston, on the sixth day of May, A. D. 1868.

Per order of Town Committee.

CAMPAIGN PAPER.

Now is the Time to Subscribe.

We are receiving new subscribers to the Democrat, daily, as the Presidential campaign approaches, and in order to reach a larger class, we propose to send our paper to new subscribers, from the 1st of May, till after the Presidential elections, for fifty cents, in advance.

Five copies, or more, to one address, during the same time, for forty cents a copy, in advance.

In no way can money be more judiciously expended, for political purposes, than by furnishing the people with reading matter, from week to week. Men may be convinced in this way when public addresses, and pamphlet meetings may fail to reach them.

As there will be no postage to subscribers, in the County, let us have a large list.

Impeachment.

As Mr. Stanton was not able to be present, the debate continued, on Thursday, without him, and so from day to day till Monday, when the evidence on both sides was concluded. An adjournment till Wednesday was then had, to enable Mr. Stanton to be present. Mr. Boutwell was then to make the first argument for the managers, occupying, as it was calculated, about ten hours.

On Thursday, Mr. Sumner offered an order to admit any testimony, but it was laid on the table by a vote of 32 to 11. Walter S. Cox, a lawyer of Georgetown, testified that the President employed him in the case of Stanton vs. Thomas, to obtain a judicial decision on the tenure of office act. This testimony was objected to, but admitted by the Chief Justice, and on appeal to the Senate by a vote of 29 to 21. Messrs Bradley and Merrick testified they were employed by the President in the same case. A Mr. Perrin was introduced to prove that President Johnson told him Feb. 21st that he had removed Mr. Stanton, and would send to the Senate an appointment.

Friday, on motion of Mr. Conness, it was directed that the Senate meet hereafter at 10 o'clock A. M. Armstrong testified that President Johnson spoke at Cleveland in response to critics. Other parties testified that Mr. Johnson spoke at St. Louis by request. Sec. Seward was called and testified as to the mode of appointment of Consul Sec. Wells testified that on the 22d of Feb. he called on the President and notified him of a report that there had been changes in the disposition of troops at Washington. The President said he would send for Gen. Emory and inquire into the matter.

Sec'y Wells testified that on that day the President told him, in the presence of other members of the Cabinet, that he had removed Sec'y Stanton and appointed Thomas, and that Thomas was in possession of the War Office. Butler objected to receiving this evidence, but the Chief Justice allowed it, and the Senate sustained him by a vote of 26 to 23. Mr. Curtis at this point offered to prove that in February, 1866, the whole Cabinet thought that the tenure of office act was unconstitutional, and that Seward and Stanton undertook to prepare a veto argument. Butler objected, and argued against the reception of the evidence, and Evans replied. Without reaching a vote on the question, the Senate adjourned to Saturday.

On Saturday in the Impeachment Court after a long argument evidence sought to be introduced to show the President's intent in violating the civil tenure-of-office law, was rejected, 20 to 29—a decision against the Chief Justice's ruling. After another long debate, testimony of Sec. Wells was rejected, 22 to 26—which it is claimed showed that in cabinet meeting it had been agreed that the tenure of office law did not apply to appointments of Mr. Lincoln. Other similar testimony was subsequently rejected after spicy set-to's between Butler and Evans. At the close Mr. Evans stated that so far as he knew testimony for defence was all in.

It is thought that a decision will be reached by the 1st of May.

Sidewalks.

Next to school houses, meeting houses, tasty private residences, with pretty gardens, and shade trees adorning the principal streets of a village, are sidewalks. The thrifty, enterprising and character of the people may pretty surely be judged by the presence or absence of them; but as a sanitary measure, we would advocate them. It is very evident that residents of the country take much less exercise in the open air, by one of the most approved modes, to wit—walking, than do inhabitants of cities, and principally on account of the difference in the facilities afforded for this healthy exercise.

A walk of from a mile to two miles is not uncommon, in most large places, from four to six times a day, to and from business; the same of the factories of civilization. Horse cars, are being introduced, to tempt men and women into efficiency and delicate health, by riding instead of walking.

It is true, in pleasant weather, when the roads are dry, the country affords opportunity enough to indulge in this pastime, but in the muddy days of spring and fall, when people have been housed for days, and long for an opportunity to breathe the fresh, health-giving atmosphere of nature, then the sidewalks are appreciated, and are real blessings, the value of which cannot be estimated by dollars and cents.

A sidewalk on each side, through the main street of our pleasant village, would be a great public convenience, and of comparative trifling expense. As the shire town, it is due to the rest of the county, that we afford such conveniences to those called here to transact public business.

We think the concrete walk, which resembles cement, and makes a hard, durable walk, is coming into favor in Augusta, Bangor and other places. It is not expensive and much more durable than plank, and is not affected by the frost.

We hope we have said enough to result in some efforts to carry out our views. It might be done by private individuals, though it would be a public matter for the town.

Maine Conference M. E. Church.

The Maine Conference of the Methodist Episcopal churches convened at Brunswick last week. It was fully attended, and an interesting session. The question of Lay representation was considered—the cause being advocated by Rev. S. Vail, Hon. J. J. Perry, Dr. Elisha Clark, and Capt. Cyrus Studivant; a brief reply was made by Rev. Wm. McDonald, of the New England Conference. It is thought that the cause of Lay delegation was not much advanced.

Saccarappa was selected as the place for the next session. The Young Men's Christian Association efforts and objects were presented by Chas. Douglass, Esq., President of the Lewiston Association, and others.

The following appointments for Oxford County were made:

South Paris, J. C. Perry; Oxford, Samuel Paine; Norway, J. Dutton, Porter, K. Atkinson; Fryeburg and Stowe, S. F. Strout; Sweden, Denmark and Lovell, to be supplied; Woodstock, J. Lord; Rumford, E. Grover; Bethel Hill, to be supplied; Newry, Mogalloway, N. Andrews; Gilead, Mason and Albany, B. Larkin; Hartford, Canton and Peru, to be supplied; Waterville, J. Rice.

The committee on Temperance reported, recommending prohibition as the only ground on which they can work with success. The report excited considerable interest, and was amended by striking out a clause censuring Gov. Chamberlain for declining to preside at the State Temperance Convention held in Augusta last winter.

The subject of Lay delegation was referred to the General Conference to be held at Chicago, with an expression against their own ministers agitating the subject.

Death from Chloroform.

Mr. William Hatch, of Portland, died last week in Portland, from the effects of chloroform, taken to have teeth extracted. He was of consumptive tendency. Dr. Tewksbury, was employed to investigate the circumstances, and report upon them.

He has made an interesting report, showing that the lungs of the deceased were in a very unhealthy condition, and coming to the conclusion that both ether and chloroform are dangerous when used to produce complete insensibility in persons far advanced in diseases of the heart and lungs; that ether is not so dangerous as chloroform, and is sufficient to produce all the effects desired. He recommends great care in their use, and says: In all cases some one should be delegated whose whole business should be to attend to this matter, and nothing should be allowed to interfere with him from the beginning to the end of the operation. The pulse and respiration should be carefully watched, and any deviation from the usual phenomena should at once be subjects of alarm and be promptly treated. For this purpose all necessary means for resuscitation should be immediately at hand, that no time may be lost. The Report excuses Dr. Evans, the dentist, who administered the chloroform, but the physicians who acted with Dr. Tewksbury, most earnestly entered their protest against the administration of these agents by men not qualified by medical study to judge of the condition of the patient, or to properly understand the effect of such agents upon the human system.

The reports from all parts of Illinois and southern Wisconsin, are to the effect that the winter wheat passed through the cold weather successfully, and promises an immense harvest. Spring wheat has also been sown in great abundance.

Gleanings by the Way.

Mason, April 18th, 1868.

Since I last wrote, we had a week of genuine winter weather, snow, blow and sleighing; but spring has returned, and the snow is nearly gone in open land.

On dry, plain land, it is now very good ploughing, and some grain has been sown in this section.

During last week, there was great activity in the market; one would hardly notice any other business being done.

There was a small surplus of hay in Mason, which has been mostly bought up by farmers in the adjoining towns of Bethel, Albany and Gilead. Some of it was hauled ten or twelve miles. It is getting to be a scarce article here. There can be but very little summered over, even if there should be no more cold weather this spring.

Mr. Addison S. Bean, of Mason, met with a singular accident a few days since. He went to his barn one evening, to feed his cattle, and not finding his fork in its usual place, it having been used by his little daughter during the day; and in searching for it, he came in contact with it in such a manner as to strike his neck against one of the timbers, which passed through it between the windpipe and jugular vein, not penetrating either; his wife, hearing a strange noise, went out and found him unable to speak, and got him up to the house, and dressed the wound by binding on to it the rind of salt pork, in the best manner she was able, and strange to tell the next day he was out of doors, and in a day or two he attended to his work as usual, and has continued to up to the present writing.

Mr. Bean served four years in the army, and wounds do not frighten him to death.

Mr. A. S. Bean, of West Bethel, who had his store burned a few weeks ago, tells me he loses about fifteen hundred dollars by the fire, after deducting what insurance he got. The agent of the company made no objection to paying the insurance on the buildings, which was six hundred dollars, but refused to pay but three hundred and fifty dollars, of the one thousand insured on the goods. Mr. Bean claims, and with reason too, that there were some two thousand dollars worth of goods in the store, and but four hundred and fifty dollars worth were saved.

The agent of the company contended that a great part of the missing goods must have been stolen, and that they do not insure against theft. Men never worked better, nor more disinterestedly, to save property from the flames, than they did at that fire, and a guard was placed over the goods, so there should be no misappropriation of them.

It would seem to be but very little encouragement for individuals to expose themselves to save property from being burned, if they are to be charged with appropriating it to their own use. If the course pursued in settling the insurance claims on this property is the settled policy of the Aetna company it would seem to be advisable for no one to get insured in it, unless he was very sure of never being burned out, and in case any are insured in it and should find their premises on fire, the only safe course would seem to be to let all burn together for it appears that if part is saved, the rest is presumed to be confiscated. There may be another side to this case; if so, the public would like to know it. G. H. B.

South Paris.

President Harris, of Bowdoin College, preached at South Paris, on Sabbath afternoon last, from the text "Quench not the spirit." It was delivered in the quiet, reasoning and thoughtful style of the preacher, without notes, and was a discourse of rare merit, replete with beautiful thought, abounding in original and appropriate illustrations, and clearness of statement. It made a profound impression upon the large audience assembled to hear him.

In illustrating the undefinable and illimitable influence of the spirit, he compared it to the influence of great and good men, and in this connection, paid an eloquent tribute to the worth of those eminent men with whom he had been so recently associated, and who have just gone to their reward—Prof. Smyth, of Brunswick, and Dr. Sheepart of Bangor.

It is contemplated to raise a few hundred dollars more, and have the Soldier's Monument constructed at once. It is intended to locate it in the square, at South Paris village, which is a very suitable place. We understand that a design has been suggested, something like this—the structure to be of granite, with a main base of 4 feet square, and two high—with a Pilot, 3 feet 4 inches square by 12 inches—then a main Die, 3 feet square, by 4 feet in height, with a Cap, upon which will rest a quadrangular shaft, about 12 or fourteen feet high, to be surmounted by an Urn, and making a monument 18 to 20 feet in height. On the four sides of the main die, suitable Tablets inserted, with the names of the immortal dead inscribed. On each side of the shaft, some military emblem will be carved.

It is estimated that this could be got up for about a thousand dollars, and we hope the requisite funds will be subscribed to carry out so praiseworthy and creditable an object.

Brownfield.

A correspondent of the Christian Mirror, writing from Brownfield says:

Your readers will be interested to know that on the first Sabbath of this month there was received into the church at Brownfield, Rev. E. W. Pike, on profession, eight persons—four of them being young men with families. God has given this church these as the fruits of missionary efforts. None of them had previously been in the

habit of attending meetings; and some of them had never been inside of the church, to a religious meeting, until they had become interested for the salvation of their souls. There are others hopefully converted, who may yet unite with the church. Others also now come to the sanctuary who heretofore neglected it almost altogether. The older members of the church, also appear to be encouraged and stimulated to more energetic efforts by the refreshing shower of grace with which God has visited one of the least hopeful corners of this hard field.

Canton Items.

Operations have commenced on the several buildings heretofore contemplated, and contractors are busy collecting and preparing materials. Several small buildings have been moved on the recent snow, to give place to new and more elegant ones. The foundation of Mr. Dura Bradford's dwelling is now in progress, and the timbers for the new Free Baptist church, are being prepared.

The saw mill is in operation day and night, cutting lumber which is in demand as fast as it is sawn.

The Railroad prospect has been dampened by a refusal of expected aid, and unless by private subscriptions, the Company are induced to put it forward, no permission will be asked of the next legislature, to take up the track between Hartford and Mechanic Falls, which will doubtless be granted, as no body of disinterested men, can reasonably require a company to run a train over the road in its present condition, while it barely pays its running expenses. Could the road be extended to Canton, an extensive and fruitful territory would be opened, and the business of the road sufficiently increased, to make its stock valuable, besides a prospect would be opened to Rumford Falls, that this vast natural power might be developed, and find an outlet for its products on the road extended there, the route from this place being exceedingly favorable for a road. It seems that no one should stand in his own light in deciding this matter, as many often suffer on account of the delusion of one, and are unwilling to believe that "Ignorance is bliss."

Mr. Abraham Newton has this season made from three trees, five gallons of maple molasses and nine pounds of sugar. The greatest flow from a single tree, in one day was 47 quarts; the same tree yielded from one to four pailfuls daily, to the present time. Mr. Newton states that he intends soon to close the veins that have yielded the supply, grateful for the liberal bounty, and unwilling to exhaust his natural blessing.

The High School under the tuition of Miss Lucie A. Warren, is eminently successful, having a full attendance and skillful instruction.

Dr. J. G. Pierce has been suffering several days with measles, and will doubtless be able to appreciate the severest cases among his patients hereafter. He is understood to be out of danger now.

Norway.

President Harris, of Bowdoin College, delivered a Lecture before the Y. M. C. A., of Norway and Paris, at Norway, on Saturday evening last, on "Work."

It was a lecture of great thought, and vindicated, beyond question, the dignity of honorable labor.

He also preached at the Congregational House, on Sunday morning. It was a discourse worthy of the man and the subject. No man can hear him without feeling the truth of Christ's Gospel, and becoming stronger for the duties of life.

The association have chosen Bros. A. Hersey, S. Stowe, O. W. Rogers and C. D. Barrows as Delegates to the State Convention to be held at Portland, next week. KAPPA.

Rumford.

The Lewiston Journal says, Josiah J. Knight, esq., of Rumford, who has been confined to his house for the last six months by sickness, has so far recovered his health as to be able to ride out.

The Androscoggin river at Rumford is very low and a few days ago the ice formed across it and stopped for a few days. This was never known at this time of the year by the oldest residents.

The valuable water power at Rumford Falls, belonging to Messrs. Chaplain & Albert Virgin, together with the grist mill and saw mill has been sold for thirty two hundred dollars to Messrs. Holt & Stevens.

East Sumner Items.

The Mills here are running night and day, when the weather will permit. They will saw probably, 500,000 shingles.

Dea S. Robinson has been repairing his old house (the oldest in town.) Wm. Frye is putting a new roof on his. Others are having their houses painted and grained by Mr. Franklin Thompson, of Massachusetts, a first rate painter.

Charles Glover, 24, is laying the foundation for a large carriage shop, which is very much needed here.

People have begun to farm on dry land, and to sow their rye and wheat.

It is said that Dr. Maxim, of West Peru, is about moving to Hartford.

SPORTING AT LAKE WILCOXESERVICES. The "Angler's Retreat," and the Lake House, at Upton, kept by the brothers, GOWERS, H. R. and Wm. R. will be open to the sporting fraternity, on the 15th of May, and continue until the last of October. There is a beautiful excursion steamer on the lake, and every convenience and accommodation for the seeker after health or pleasure, among the wilds of Maine.

Boston Correspondence.

APRIL 15, 1868.

Those of your readers who have read Boston papers, have noticed much in them relating to the "Church Street District," which is a territory below the proper grade of the city, and which, it is proposed to raise, when the owners of the property can take possession, by paying the betterment, or they can abandon their estate to the city, and commissioners will be appointed to fix the value. The territory to be improved is between the Providence railroad and Tremont Street. If the plan is adopted, the section of the city will be greatly improved.

The old granite building on the corner of Beach and Washington street, which has so long stood as a landmark, is to be removed, when a block of stores, with granite fronts, is to be erected the present spring. The improvements in the Boston Post-office are completed. It is said the income for the rent of boxes is \$25,000 a year.

Massachusetts Senate passed the License bill as it last came from the House, and it lacks nothing now but the Governor's signature. We shall soon see whether license is likely to work any better than prohibition.

Dickens' last readings took place in this city last Wednesday evening. His friends placed on his desk a magnificent bouquet, which excited much comment and admiration. Before proceeding to read he said, "Ladies and gentlemen, I am to have the pleasure of reading to you to-night 'Dr. Marigold,' but before leaving him to tell his simple story, I pause to kiss the kind, fair hands unknown that have so beautifully adorned my table." At the close, he made a very neat and feeling speech, bidding his Boston friends farewell.

A Boston paper publishes an item in regard to the will of the late 'Artemus Ward' (Charles F. Browne.) "The bulk of his estate, according to that document, was to be transferred to his mother, to be enjoyed by her during her lifetime, and after her death to be applied to the foundation of an asylum for indigent printers. It is understood now that none of his property has been so transferred, and statements are made to the effect that neither the money he was known to have possessed nor any assets have come to light. He was understood to have had a round sum of money in bank and otherwise at his death; but his English executors are suspiciously silent on the subject. Some of our contemporaries are calling upon them to render an account of their stewardship."

The "Sunday Times," printed in this city, commenced a new volume on Sunday last, and it appears in new type, presenting a beautiful appearance. It has also new publishers, Messrs. Thayer & Dunham. Mr. Dunham (late Robert C. Tubbs, from Hebron, Me.) takes the editorial charge of the paper, and is sure to make it very popular. He says, "the success of a newspaper, at the present day, depends quite as much upon its enterprise as upon the ability with which its editorial columns are conducted." Mr. Dunham is a "live" man, and my personal friend. I wish him much success. M. C. A.

Y. M. C. A. State Convention.

The State Conventions of the Young Men's Christian Associations are very interesting occasions. Another is to be held in Portland, next Tuesday and Wednesday.

The delegates on reaching Portland, will go directly to the Rooms of the Y. M. C. A., corner of Congress and Brown Sts., where a committee will be prepared to provide them with free entertainment during the Convention.

The members of the Portland Association will hold their social reunion at their rooms on Monday evening, April 27th, to which delegates and others attending the convention are cordially invited.

The first meeting on Tuesday morning, will be a season of prayer at the Rooms at 9 o'clock.

The delegates will meet in the main Hall at 10 o'clock to organize the convention and the remainder of the morning session will be devoted to business and general discussion.

Public meetings for discussion will be held in the afternoon and evening of each day.

Free return tickets over the various railroads in the State will be furnished to all those attending the Convention, if it is possible to obtain them.

Although it is proposed to make this strictly a Delegate Convention, yet all earnest Christian workers are invited to meet there, and by their counsel and prayers contribute to the interest and profit of the occasion.

District Convention.

According to the basis of representation of the call for the District Convention, at Auburn, on the 6th of May, to elect delegates to the Chicago convention, the towns in this County will be entitled to delegates as follows:

Albany 1; Andover 2; Bethel, 4; Brownfield, 2; Buckfield, 3; Byron, 1; Canton, 2; Denmark, 2; Dixfield, 2; Fryeburg, 3; Gilead, 1; Grafton, 1; Greenwood, 2; Hanover, 1; Hartford, 3; Hebron, 2; Hiram, 3; Lovell, 3; Mason, 1; Mexico, 1; Newry, 1; Norway, 4; Oxford, 3; Paris, 6; Peru, 3; Porter, 2; Roxbury, 1; Rumford, 3; Stow, 1; Stonham, 1; Sumner, 2; Sweden, 2; Upton, 1; Waterville, 2; Woodstock, 3; Milton Plantation, 1; Andover North Parish, 1; Franklin Plantation, 1—78 in all.

EVERYBODY ITEM. S. B. Locke and Son, George W. Locke, have purchased the Mills recently owned by Osborn Charles with the intention of building new ones on the site.

Editorial and Selected Items.

The Paris Hill Theatrical Club will give an Entertainment at Academy Hall, on this Evening, 24th, consisting of the comedy in three acts, entitled "Everybody's Friend," and concluding with Chas. Mathew's "roaring farce of 'Little Toddlers.' A distinguished comedienne will appear for the first time.

See the call for a Republican Caucus. The Lecture on the science of coins, by Hon. V. D. Parris, before the Paris Hill Academy, on Wednesday Eve, was interesting and instructive. About 1500 rare coins, some 3000 years old, and some obtained from the ruins of Herculaneum and Pompeii, were exhibited to the great interest of the audience.

At the School Meeting of the village District, last Saturday, H. E. Hammond was elected Agent and W. Hutchinson, clerk. A committee, consisting of Messrs. H. Hubbard, A. Black and Geo. L. Vose, was raised to report what repairs, if any, were advisable on the House.

A Grand Railroad Ball will be given at Warren's Hall, Backfield, May 1st.

See Advertisement of J. H. Rawson, and improve the opportunity which he offers, to buy goods cheap, as he is determined to sell out.

The weather this week is mild and beautiful. The roads are getting settled and every thing is lovely.

By advertisement, it will be seen that Lazarus & Morris, have established an agency at Norway for their celebrated spectacles. They are highly recommended.

O. A. Fuller will sell at auction, on Saturday, April 25th, at his residence, about a mile from Snow's Fall, some Household Furniture, Stock, &c.

Fresh green peas from Florida are offered for sale in the New York markets. New turnips from South Carolina are already in plentiful supply.

A Cincinnati at the Tremont House, Chicago, expatiating on the vine-clad hills, etc. declared that the Ohio was the Rhine of the New World. "Yes," ejaculated old X—, "the pork Rhine."

The shoe trade of Lynn is flourishing, and manufacturers find it difficult to keep pace with their orders, though employing every resource at their command.

Central Park, New York, is to be turned into a cow yard. Forty cows are to be placed there, and the milk sold to visitors.

Horses' tails are worth from one to two dollars in the New York market for the purpose of being manufactured into hair cloth.

The wife of Mellen Rice, formerly of South Paris, now of Portland, gave birth last week to three children, at one birth; they lived from four to 13 hours, and were brought to Norway and buried last week. They were buried in one Coffin, from the residence of Mr. T. G. Goodwin.

Two men lately obtained a license to marry the same woman in Mississippi. The successful rival was shot by the disappointed, who also thrashed the minister who united the couple.

The women of Topeka, Kansas, though not allowed to vote, have held a caucus and nominated candidates for city offices.

A disagreeable old bachelor says that Adam's wife was called Eve because when she appeared man's day of happiness was drawing to a close.

A woman, who, the other day, while hanging out clothes on the roof of a five story house in Boston, backed off her elevated position, will not pursue her avocation again.

W. S. Hutchins, of St. Louis, the inventor, has made a flying machine which is reported to work well.

Dr. Livingston, the African explorer, has written to England stating that he is in good health, and that he intends soon to return home.

The 1st Maine Heavy Artillery, were in most of the Petersburg campaign, in the 1st Brigade, 3d Division, 2d army corps, under Gen. D. Trobriand, a French officer. He has lately published two volumes, in Paris, which give interesting reminiscences of his service in the war, and critical notices of distinguished officers of our army. From a review of the work in the New York Evening Post, we should judge it to be an interesting book.

GRAND DIVISION, S. of T. The Quarterly Session of the G. D. will be adjourned to the 12th of May, on account of the bad traveling.

A democratic convention in South Carolina has put in nomination a full State ticket at the head of which stands "For Governor—General Wade Hampton, known to and loved by the whole State."

On examining the papers of a deceased Spaniard, in New Orleans, it was found that he had expended in the course of his life, \$100,000 in lottery tickets, and never drew a prize.

A good democrat at the water cure establishment in Columbus, Ohio, remarked the other day to a Radical boarder that in his opinion "a man that had more Anglo Jackson blood in his veins than African art to vote."

It has been decided, by Judge Hoar, of New York, that banks are not liable for the loss of valuable, such as bonds, unless there is evidence of negligence. The mere loss of a special deposit, when there is a possibility of loss from other causes than negligence, would not authorize the Jury in finding a verdict against the bank.

Mr. Editor—I notice that the papers are offering the names of candidates for Congress from the 21st District. It has long been understood that when our present worthy Representative had completed his term of service, we should look to Franklin County for a candidate, provided our Republican friends there should unite on some name which would be acceptable to other portions of the District. It is understood that an effort is now being made to present the name of Hon. E. P. Weston of Farmington, well known in the District and State, for his labors in the cause of education. A correspondent of the Lewiston Journal, writing of Mr. Weston, says "a gentleman of high literary character, extensive political acquaintance, legislative experience and commanding talents, is frequently named as eminently fit to represent the Second District should the choice fall to Franklin, he has an increasing number of earnest friends."

What is said of Franklin, is no less true in Oxford, Mr. Weston's name would command the respect and votes of Oxford, as earnestly as that of any candidate. The credit and the interest of the Second District would be ably sustained in his hands. Let our Franklin friends unite on him, and he will be sure of a handsome support in Oxford.

One of the best spring medicines for the blood, is *Ayer's Sarsaparilla*. We advise all who feel debilitated, or out of humor, to try it. It can be found at J. H. Rawson's.

A horse is truly a noble animal, and is capable of being taught more than any other species of the brute creation. He often exhibits intelligence truly wonderful, as well as enthusiastic feeling. To preserve such a horse in all his glory, use Sheridan's Cavalry Condition Powders.

To relieve pains arising from any cause, *Rheumatic Compound* may be used with great certainty of success.

Our Table.
EVERY SATURDAY reproduces, weekly, interesting articles from the best foreign periodicals. The story of "Real Play" by Charles Reade is most interesting. Price 10 cents. Published by Ticknor & Fields, Boston.

LADIES NATIONAL MAGAZINE for May, has an engraving entitled "On the River." "The Bride of the Prairie" by Mrs. Stephens, is continued, and the "Varieties for the Season" are abundant and attractive. This magazine is a favorite with the ladies. Published by C. J. Peterson, Phila.

OUR BOYS AND GIRLS make its weekly appearance at our table, and is always welcomed by the young folks. "Make a Break" is an interesting serial by the Editor, Oliver Optic. Published by Lee & Shepard, Boston.

BOYS AND GIRLS WEEKLY, for May 11, has numerous embellishments and stories for the young. Published by Frank Leslie, New York.

THE HOUSEHOLD, for April, is an interesting number. This is a Monthly Journal, devoted to home interests. Milliken & Crowell, Brattleboro, Vt.

THE MAINENORMAL for April, is an interesting number. Teachers should all take it, if they desire to succeed in their profession.

Editorial review of Portland Market.
For week ending April 21.
There has been some perceptible improvement in business market during the past week. The volume of trade has not been so large as usual, and this may be accounted for in the unsettled condition of the roads.

The money market continues somewhat stringent, though the banks are liberally supplied by the banks as liberally as could be expected. The gold market has been very quiet during the week.

APPLES.—The market for winter apples and pears has been quiet. The market for spring apples is better. The market for pears is better. The market for peaches is better. The market for cherries is better. The market for strawberries is better. The market for raspberries is better. The market for blackberries is better. The market for blueberries is better. The market for huckleberries is better. The market for elderberries is better. The market for currants is better. The market for gooseberries is better. The market for mulberries is better. The market for figs is better. The market for pomegranates is better. The market for dates is better. The market for figs is better. The market for pomegranates is better. The market for dates is better.

GRAIN.—The market for grain is better. The market for wheat is better. The market for corn is better. The market for oats is better. The market for barley is better. The market for rye is better. The market for buckwheat is better. The market for clover is better. The market for timothy is better. The market for alfalfa is better. The market for hay is better. The market for straw is better. The market for manure is better. The market for fertilizer is better. The market for lime is better. The market for gypsum is better. The market for salt is better. The market for soda is better. The market for potash is better. The market for nitrate is better. The market for phosphate is better. The market for superphosphate is better. The market for bone meal is better. The market for fish meal is better. The market for guano is better. The market for kelp is better. The market for seaweed is better. The market for peat is better. The market for coal is better. The market for wood is better. The market for lumber is better. The market for shingles is better. The market for clapboards is better. The market for siding is better. The market for flooring is better. The market for roofing is better. The market for gutters is better. The market for downspouts is better. The market for gutters is better. The market for downspouts is better. The market for gutters is better. The market for downspouts is better.

PRODUCE.—The market for produce is better. The market for butter is better. The market for cheese is better. The market for eggs is better. The market for poultry is better. The market for game is better. The market for fish is better. The market for shellfish is better. The market for honey is better. The market for maple syrup is better. The market for molasses is better. The market for corn syrup is better. The market for sorghum syrup is better. The market for cane syrup is better. The market for rice is better. The market for flour is better. The market for meal is better. The market for bran is better. The market for shorts is better. The market for middlings is better. The market for germ is better. The market for oil is better. The market for fat is better. The market for lard is better. The market for tallow is better. The market for soap is better. The market for candles is better. The market for kerosene is better. The market for gas is better. The market for electricity is better. The market for steam is better. The market for water is better. The market for air is better. The market for fire is better. The market for sun is better. The market for moon is better. The market for stars is better. The market for planets is better. The market for comets is better. The market for meteors is better. The market for shooting stars is better. The market for aurora borealis is better. The market for aurora australis is better. The market for solar flares is better. The market for solar wind is better. The market for cosmic rays is better. The market for dark matter is better. The market for dark energy is better. The market for dark matter is better. The market for dark energy is better.

Wool.—There is a better feeling in the market, and prices are better. The transactions have been somewhat larger than in the past week, but many weeks previous.

Brighton & Cambridge Cattle Markets.
For week ending April 21.
BEEVES.—Extra quality \$2.50 to \$3.00; first quality \$2.25 to \$2.50; second quality \$2.00 to \$2.25; third quality \$1.75 to \$2.00; fourth quality \$1.50 to \$1.75; fifth quality \$1.25 to \$1.50; sixth quality \$1.00 to \$1.25; seventh quality \$0.75 to \$1.00; eighth quality \$0.50 to \$0.75; ninth quality \$0.25 to \$0.50; tenth quality \$0.00 to \$0.25.

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FRANKLIN'S WHISTLE

Dr. Franklin, when a child, paid all his money for a whistle that was useless to himself and a great annoyance to his friends. He "was sold," but not so badly as you who buy the health destroying common Salutaris found in our markets. Pyle's Salutaris is pure and wholesome, sold by grocers everywhere, in pound packages.

S. D. & H. W. SMITH'S AMERICAN ORGANS.—We have ourselves both seen and heard a large instrument of the above manufacture, which has been purchased by the Congressional Society of this place. It is a very superior instrument in the mechanical perfection of its various parts, and in the resemblance of its tones to those of a pipe organ. It is superior to any we have ever heard. It contains 5 sets of reeds and fourteen stops, and is capable of a great variety of expression, its softest tones being beautifully sweet and pure, while the stronger tones are delightfully full and sonorous. The reeds are so voiced that there is a marked difference in the quality of the tones of each set, and by this improvement different qualities of tones can be fused when desired, and when the whole are combined, a richer, grander volume of tone is produced than can be by other instruments not thus voiced. It is but just that we should say that this Organ was selected by the committee, after a careful study and trial of the most celebrated reed organs, and is believed by them to possess more of the requisite qualities to make up a good instrument, than any other kind of organ manufactured. These organs are manufactured by S. D. & H. W. Smith, at Boston, Mass. (Boston Standard.)

R. R. R. Radway's Ready Relief

Is the only Vegetable Remedy, in liquid form, that will cure all cases of Bilious Attacks, Headaches, Rheumatism, Neuralgia, Toothache, Headache, Sciatica, Diphtheria, Indigestion, Kidney and Bladder Diseases. One application will in a few minutes afford immediate comfort.

SISTERS OF MERCY, DORCHESTER ST., MONTREAL, E. Hospital of Sisters of Mercy. Dr. RADWAY'S Ready Relief has cured OVER ONE HUNDRED of our sick from Chills, Vomiting, Headaches, Intestinal Pains, &c.

One of our Sisters had the Rheumatism in her leg for a great many years. Having taken a few bottles of Dr. RADWAY'S Ready Relief, she was perfectly cured, and never felt it since. I always use it for Rheumatism, and for Chills, and always with success. It is very useful for Sore Throat, Croup, Influenza, Diphtheria, &c. It has a good effect in Flatulence or Wind Colic. I use it for all kinds of ailments, and produce a marvelous effect. In short, it produces relief altogether remarkable to our invalids.

SISTER MARY DE BOSSCOCH.

Sudden Colds, Coughs, Influenza, Hoarseness, Diphtheria, Sore Throat, Chills, Fever and Ague, Rheumatism, Neuralgia, Toothache, Headache, Sciatica, Diphtheria, Indigestion, Kidney and Bladder Diseases. One application will in a few minutes afford immediate comfort.

"Cast thou not minister to a mind diseased, And, with some sweet, oblivious antidote, Cleanse the fond bosom of the perilous soul That weighs upon the heart!"

Certainly! Plantation Bitters will do it when nothing else will. Melancholy, Depression, Hypochondria, Insanity, all spring, more or less, from a diseased stomach, and this, Plantation Bitters is our cure.

There is no mistake about it! Dyspepsia, Headache, Dizziness, Ague and Low Spirits, must yield to the health giving and genial influence of the Plantation Bitters. If you are in doubt, make one trial, and be convinced. Thus say those who have tried it.

MAGNOLIA WATER.—A delightful toilet article—superior to Cologne, and at half the price.

Special Notices.
Cancer, Scrofula, Dyspepsia. Liver Complaint, Rheumatism, Neuralgia, &c. Cured. A Book of 100 pages, sent free to invalids. Address R. GREENE, M. D., 10 Temple Place, Boston, Mass.

Moth Patches, Freckles and Tan.
THE ONLY RELIABLE REMEDY for those BROWN DISCOLORATIONS on the face is *ROSE'S DISCOLORATION REMEDY*. Prepared only by Dr. R. C. FOSTER, 40 Bond St., New York. Sold every where.

WHY SUFFER FROM SORES?
When by the use of the *AFRICA OINTMENT*, you can easily be cured. It has relieved thousands from *ROSE'S DISCOLORATION REMEDY*. Prepared only by Dr. R. C. FOSTER, 40 Bond St., New York. Sold every where.

Hales Arnica Ointment!
For sale by all druggists, or send your address, and we will send you a box by return mail.

ITCH! ITCH! ITCH! SCRATCH! SCRATCH! SCRATCH!
In from 10 to 48 hours.

WHOLESALE OINTMENT. Cures ITCH, WHEATON'S OINTMENT Cures SALT RHEUM, WHEATON'S OINTMENT Cures TETTER, WHEATON'S OINTMENT Cures ECZEMA, WHEATON'S OINTMENT Cures OLD SORES, WHEATON'S OINTMENT Cures FURUNKLE, or Boils, or Itch, or any of the most distressing skin diseases. Price, 50 cents a box, by mail, or call. Address WHEATON & POTTER, No. 170 Washington Street Boston Mass.

Turner's Tonic—A Powerful Tonic—Universal Neuralgia Cure.

A self-curing and specific cure for Neuralgia and all Nervous Diseases. The secret cause of this complaint is permanently cured in a very short time. Neuralgia in the face or head is utterly banished in a few hours. No form of Nervous Disease withstands its magic influence. It has the unequalled approval of many eminent physicians. It contains nothing superior to the most delicate system. Sold every where. Sent on receipt of \$1.00 and postage stamps. TURNER & CO., 157 Tremont St., Boston Mass., Proprietors. Boston July 1, 1887.

WHOLESALE. Cures ITCH, WHEATON'S OINTMENT Cures SALT RHEUM, WHEATON'S OINTMENT Cures TETTER, WHEATON'S OINTMENT Cures ECZEMA, WHEATON'S OINTMENT Cures OLD SORES, WHEATON'S OINTMENT Cures FURUNKLE, or Boils, or Itch, or any of the most distressing skin diseases. Price, 50 cents a box, by mail, or call. Address WHEATON & POTTER, No. 170 Washington Street Boston Mass.

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New Advertisements.

Great Bargains!

Selling out at Cost!

On account of ill health, I shall sell out IMMEDIATELY.

ALL MY STOCK!

Consisting of all kinds of Goods usually kept in a first-class country store, such as

Dry Goods!

of every description. A large lot of

WOOLENS,

A splendid lot of

HATS AND CAPS,

of the latest styles.

Ready-Made Clothing.

WOMEN'S AND CHILDREN'S

BOOTS AND SHOES,

of all descriptions.

NO GLOVES,

of the best quality and the very latest styles.

Crockery & Glass Ware,

HARDWARE,

PAINTS, OILS & DYE STUFFS.

PATENT MEDICINES & DRUGS.

A large lot of

Perfumery & Hair Oils,

of all kinds. A good assortment of

TOYS,

Books, Stationery,

Inks, Pens and Pencils.

Together with a FRESH LOT OF

GROCERIES!

All of the above goods are NEW, and were bought within the last ten months, and will be

Run off at Cost or Less,

FOR CASH.

WITHOUT RESERVE!

All persons indebted to the subscriber are requested to call and settle.

J. H. RAWSON.

PARIS HILL, ME.

April 24, 1888.

TO BE LET,

The late Dr. Kittredge Stand, Paris Hill, (Consisting of a one-story House, Stable, and four acres of Land.

Inquire of S. D. WEEKS, P. M., or of Dr. BAKER, Paris Hill, or of Cyrus Perkins, Lewiston.

LAZARUS & MORRIS,

Practical Opticians and Oculists, BARTFORD, CONN.

Have Appointed

HORACE COLE,

Jeweler, Norway, Me.

Sole Agent for the sale of their

CELEBRATED PERFECTED

THE IMP

OXFORD DEMOCRAT...EXTRA.

Public Laws of the State of Maine, passed by the 47th Legislature, A. D. 1868.

Chapter 134.

AN ACT to provide for the removal of persons imprisoned or under arrest, from one county to another when different offences are charged in the two counties.

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

SECTION 1. Whenever any person shall be imprisoned or held under arrest in any county in this State, and justice of the supreme judicial court, in term time or vacation, may order the removal of such person into another county when complaint has been made and warrant issued, or an indictment has been found charging the person as arrested or imprisoned, with the commission of a crime in such other county, for examination or trial under said complaint or indictment.

SECT. 2. Before any justice of the supreme judicial court shall issue his order to any sheriff or his deputies, or any officer, or the keeper of any jail having such person under his charge or in his custody, directing the removal of such person to another county, or his removal to any other proper officer for the purpose of removal, he shall be satisfied from sufficient proof adduced before him that speedy and impartial justice requires such order.

SECT. 3. Whenever the order provided for by this act shall be duly issued, it shall be the duty of the officer holding under arrest, or in his custody, the person described in such order, to deliver him to the officer who presents the order and delivers to him a true and attested copy of the same and of the complaint and warrant or indictment upon which such order is based, and the officer to whom the accused person shall be so delivered shall bring him before the proper court, in the county to which he is removed, for examination and trial and make due return of his proceedings.

SECT. 4. This act shall take effect when approved by the governor. [Approved January 17, 1868.]

Chapter 135.

AN ACT to amend section nineteen of chapter nineteen of the revised statutes, relating to liens on logs and lumber.

Be it enacted, &c.
Section nineteen of chapter nineteen of the revised statutes is hereby amended in the first line thereof, by adding the word "rafting," after the word "hauling," so that the section as amended will read as follows:

"A person who labors at cutting, hauling, rafting, or driving logs or lumber, shall have a lien thereon for the amount due for his personal services, except liens reserved to the states of Maine and Massachusetts; to continue for sixty days after the logs or lumber arrive at the place of destination for sale or manufacture; and be enforced by attachment." [Approved January 25, 1868.]

Chapter 136.

AN ACT to amend section two of chapter two hundred and fifty-six of the public laws of eighteen hundred and sixty-four, relating to the compensation of temporary clerks in the office of secretary of state.

Be it enacted, &c.

SECT. 1. Section two of chapter two hundred and fifty-six of the public laws of eighteen hundred and sixty-four is hereby amended by striking out all after the word "dollars," in the eighth line of said section and inserting the following words: "and the compensation of the clerks so employed shall be fixed by the secretary of state, having regard to the character of the service required of each clerk, and not in any case exceeding three dollars per day for the time such clerk may be actually employed, and travel one way, so that the last clause of said section as amended will read as follows:

"Temporary clerks may be employed in the office of secretary of state, from time to time during each year, as the exigencies of the office may require, the aggregate of whose compensation shall not exceed the sum of five hundred dollars; and the compensation of the clerks so employed shall be fixed by the secretary of state, having regard to the character of the service required of each clerk, and not in any case exceeding three dollars per day for the time such clerk may be actually employed, and travel one way."

SECT. 2. This act shall take effect when approved by the governor. [Approved January 27, 1868.]

Chapter 137.

AN ACT to amend section sixth of chapter eighteen of the revised statutes, to authorize county commissioners to reverse a part or all of their proceedings, by reason of excessive damages assessed, under a petition for increase of damages.

Be it enacted, &c.

SECT. 1. The sixth section of the eighteen chapter of the revised statutes is hereby amended, by adding after the word "proceedings" in the fourth line, and before the word "ought" in the same line, the words "or any part thereof;" and by adding to the sixth line of said section, after the word "petitioners," and before the word "is" in said line, the words "or any part thereof, designating what part;" and by adding to the seventh line of said section, after the word "allowed," the words "for that part of the prayer of the petitioners not granted;" and by adding to the end of the tenth line of said section, the words "or if of opinion that such increase of damages should prevent a confirmation of a part or parts only of their proceedings, they shall designate such part or parts, and enter judgment accordingly;" so that said section, when amended, shall read as follows:

When a petition for increase of damages is presented within the time allowed, the case is to be further continued until a final decision respecting damages is made. If they then are of opinion that their proceedings, or any part thereof, ought not to take effect, subject to such damages as have been assessed, they shall enter a judgment that the prayer of the petitioners, or any part thereof, designating what part, is not granted for that reason. Upon such judgment, no damages are to be allowed for that part of the prayer of the petitioners not granted, but the costs are to be paid by the county. If they are of opinion that the increase of damages should not prevent a confirmation of their proceedings, judgment is to be entered accordingly; or if of opinion that such increase of damages should prevent a confirmation of a part or parts only of their proceedings, they shall designate such part or parts,

and enter judgment accordingly. And the whole proceedings are to be recorded and become official."

SECT. 2. This act shall take effect when approved. [Approved January 27, 1868.]

Chapter 138.

AN ACT to amend section twenty-two of chapter eighty-one of the revised statutes.

Be it enacted, &c.

SECT. 1. Section twenty-two of chapter eighty-one of the revised statutes is hereby amended, by inserting after the word "lives," in the fourth line of said section, the words "or against accidents." Said section is also amended by inserting, after the word "state," in the sixth line, the word "or," so that said section, as amended, shall read as follows:

"Section 22. In an action against an insurance company established in any other state or country, by an inhabitant of this state, on a policy of insurance signed or countersigned by an agent in this state, on 'property or lives, or against accidents,' within this state, a summons in usual form, or a copy of the writ and declaration delivered to the agent or attorney of the company within this state, or left at his last and usual place of abode, shall be a sufficient service, or if such service is made upon the person, being an inhabitant of the state, who countersigned the policy, on which such action is founded, it shall be a sufficient service; but in either case, the court may order further notice to be given to such company."

SECT. 2. This act shall take effect when approved. [Approved January 30, 1868.]

Chapter 139.

AN ACT concerning specie payments.

Be it enacted, &c.

SECT. 1. Chapter seventy-one of the laws of eighteen hundred and sixty-two, entitled "An act to suspend certain provisions in chapter forty-seven of the revised statutes, concerning banks," is hereby further continued in force until the fifteenth day of February, eighteen hundred and sixty-nine; provided said banking corporations shall, upon demand, pay or tender payment of their bills, checks or drafts in lawful money of the United States.

SECT. 2. This act shall take effect when approved. [Approved February 3, 1868.]

Chapter 140.

AN ACT additional to chapter fifty-three of the revised statutes of this state, relating to telegraph companies.

Be it enacted, &c.

SECT. 1. Whenever it shall be necessary to cut or otherwise disconnect the wires of any telegraph company, or to remove them from the poles or fixtures to which they are attached, in order to move a building across the same, or for any other purpose, any person desiring so to do, disconnect, or remove such wires, shall have the right so to do, exercising reasonable care therein: Provided, that before doing so, he shall make a statement in writing, by him signed, of the time when, and the particular place where, by reference to the crossings of the streets or highways, he wishes to cut, disconnect, or remove such wires as aforesaid, and leave the same at the office of such company, if any there be, in the town where such place is situated, twenty-four hours before the time so stated; and if such company has no office in the same town, then he shall send such statement by mail to the office of such company nearest to the place named therein, by putting it into the post-office, properly directed and stamped, three days before the time stated therein.

SECT. 2. Whoever shall wilfully cut, disconnect, remove, or otherwise interrupt the use of any telegraph wires without first giving notice as provided in the first section of this act, shall be punished as provided in section two of the one hundred and twenty-seventh chapter of the revised statutes of this state.

SECT. 3. It shall be the duty of every person, or company, using or owning any line of telegraph, wholly or partly in this state, to transmit all dispatches in the order in which they are received, under the penalty of one hundred dollars, to be recovered, with costs of suit, by the person whose dispatch is wilfully postponed out of its order as herein prescribed.

SECT. 4. Any clerk, operator, messenger, or other agent of any telegraph company, doing business in this state, who shall wilfully divulge the contents, or the nature of the contents of any private communication entrusted to him for transmission or delivery, shall be punished by imprisonment in the county jail not more than three months, or by a fine of not more than one hundred dollars.

SECT. 5. This act shall take effect when approved. [Approved February 5, 1868.]

Chapter 141.

AN ACT relating to the organization of corporations.

Be it enacted, &c.

SECT. 1. The organization of all corporations now existing in this State, made in accordance with the provisions of either chapter forty-six or chapter forty-eight of the revised statutes, shall be equally valid.

SECT. 2. This act shall take effect when approved. [Approved February 5, 1868.]

Chapter 142.

AN ACT to provide for the security of the sinking fund and the canceling of coupons and treasury warrants.

Be it enacted, &c.

The state treasurer shall cause to be stamped or printed, in large type, upon the face of any bonds of this state he has or may purchase for any sinking fund, and likewise across the coupons attached thereto, the words "Sinking Fund of the State of Maine." The said treasurer shall also cause each coupon paid by him to be punched or perforated by a small hole. He shall also cause to be stamped upon each treasury warrant the word "Paid," with the date and payment added thereto. [Approved February 6, 1868.]

Chapter 143.

AN ACT to repeal chapter one hundred and twenty-nine of the public laws of eighteen hundred and sixty-seven, entitled "An act to provide for a State police in certain cases."

Be it enacted, &c.

SECT. 1. Chapter one hundred and twenty-nine of the public laws of the year eighteen hundred and sixty-seven, entitled "An act to provide for a State police in certain cases," is hereby repealed.

SECT. 2. This act shall take effect when approved. [Approved February 7, 1868.]

Chapter 144.

AN ACT to amend chapter eighty-six of the revised statutes relating to trustee disclosures.

Be it enacted, &c.

SECT. 1. Section ten of chapter eighty-six of the revised statutes is amended by adding thereto the following words: "And the court before whom any trustee is summoned may appoint a commissioner to take the examination and disclosure of such trustee, when any other reasonable cause appears, and prescribe the notice to be given to the plaintiff in the suit, of the time and place of such taking; and upon return of service made according to such order, the examination and disclosure shall be taken and sworn to before the commissioner; and being certified by him, and returned to court, the same proceedings may be had thereon as if it had been in court, so that said section, as amended, shall read as follows:

SECT. 10. The service made and returned according to the order of the justice, the examination and disclosure shall be taken and sworn to before him, and being certified and returned to court, the same proceedings may be had thereon as if it had been in court. And the court, before whom any trustee is summoned, may appoint a commissioner to take the examination and disclosure of such trustee, when any other reasonable cause appears, and prescribe the notice to be given to the plaintiff in the suit, of the time and place of such taking; and upon return of service made according to such order, the examination and disclosure shall be taken and sworn to before the commissioner; and being certified by him and returned to court, the same proceedings may be had thereon as if it had been in court."

SECT. 2. This act shall take effect when approved. [Approved February 7, 1868.]

Chapter 145.

AN ACT to amend section thirty-seven of chapter six of the revised statutes.

Be it enacted, &c.

SECT. 1. That the thirty-seventh section of chapter six of the revised statutes be amended, by striking out the word "conclusive," in the ninth line thereof, and inserting the words "prima facie." So that the latter part of said section shall read as follows:

The treasurer of state shall make a record of his doings in every such sale; and a certified copy of such record shall be prima facie evidence, in any court, of the facts therein set forth."

SECT. 2. This act shall take effect when approved. [Approved February 7, 1868.]

Chapter 146.

AN ACT to amend chapter one hundred and sixteen of the public laws of eighteen hundred and sixty-seven, relating to the appointment of stenographers in the supreme judicial court.

Be it enacted, &c.

SECT. 1. The first section of chapter one hundred and sixteen of the public laws of the year eighteen hundred and sixty-seven is hereby amended, by inserting, in the seventh line of said section, after the word "court," the words "including the charge of the judge;" so that the clause in said section containing said words shall read as follows: "And under the direction of the presiding justice, it shall be his duty to take full notes of all oral testimony and other proceedings in the trial of causes in said court, including the charge of the judge, and furnish for the use of the court a fair legible long-hand copy of so much of his notes as the presiding justice shall direct."

SECT. 2. This act shall take effect when approved. [Approved February 7, 1868.]

Chapter 147.

AN ACT additional to the one hundred and thirtieth chapter of the revised statutes, relating to bonds of poor debtors.

Be it enacted, &c.

SECT. 1. Whenever a bond has been taken, or shall hereafter be taken, for the release of a debtor arrested or imprisoned on an execution issued on a judgment in a civil suit, as authorized by the twenty-second section of the one hundred and thirtieth chapter of the revised statutes, the same shall be a valid statute bond notwithstanding the same has not been, or shall not be, taken in double the sum for which said debtor has been, or shall be, arrested, and if the debtor fails to fulfil the condition of such bond, judgment in any suit thereon, seasonably commenced shall be rendered in accordance with the thirty-eighth section of said chapter, if the penalty of said bond does not exceed the sum required by said twenty-second section more than five per cent, nor fall short of said sum more than five per cent.

SECT. 2. This act shall take effect when approved. [Approved February 7, 1868.]

Chapter 148.

AN ACT to amend section fourteen of chapter seventy-seven of the revised statutes.

Be it enacted, &c.

SECT. 1. Section fourteen of chapter seventy-seven of the revised statutes is hereby amended by adding the following words: "But when any of the justices do not sit in a case by reason of interest, or having been counsel, or any disqualifying cause, then the concurrence of a majority of the remaining members of the court shall be sufficient to determine such case."

SECT. 2. This act shall take effect when approved. [Approved February 11, 1868.]

Chapter 149.

AN ACT to amend section forty-six of chapter four of the revised statutes, relating to contested elections.

Be it enacted, &c.

Section forty-six of chapter four of the revised statutes, is hereby amended by striking out all after the word "therein," in the third line of said section, and adding, in lieu thereof, the words "he shall present his petition to the house of representatives, within five days after the organization thereof, stating the grounds upon which he proposes to contest the seat of the person claiming to hold the same under the certificate of the governor;" so that said section as amended shall read as follows:

"When any person intends to contest, before the house of representatives of this state, the right of any person to his seat therein, he shall present his peti-

"tion to said house of representative, within five days after the organization thereof, stating the grounds upon which he proposes to contest the seat of the person claiming to hold the same under the certificate of the governor." [Approved February 12, 1868.]

Chapter 130.

AN ACT to amend section two of chapter one hundred thirty-eight of the revised statutes.

Be it enacted, &c.

SECT. 1. Section two of chapter one hundred thirty-eight of the revised statutes is hereby amended by striking out the fourth line and inserting the following words: "two weeks" notice in any newspaper published in said county," so that the first clause in said section shall read as follows: "On all petitions to the governor for pardon or commutation of sentence, written notice thereof shall be given to the county attorney for the county where the case was tried, and two weeks notice in any newspaper published in said county."

SECT. 2. This act shall take effect when approved. [Approved February 12, 1868.]

Chapter 131.

AN ACT to facilitate the prompt administration of justice by establishing a superior court in the county of Cumberland.

Be it enacted, &c.

SECT. 1. A superior court is hereby established at Portland, within and for the county of Cumberland, consisting of one justice, who shall be an inhabitant of said county, of sobriety of manners and learned in the law; he shall be appointed, commissioned and qualified according to the constitution, and shall reside, during his continuance in office, in Portland.

SECT. 2. Said justice shall establish a seal for said court, and all writs and process issuing therefrom, shall be in the name of the state, of the usual form, bearing the test of said justice, under the seal of said court, and shall be signed by its clerk; they shall be obeyed and executed throughout the state.

SECT. 3. The clerk for the time being of the supreme judicial court in said county shall also be the clerk of said superior court, and shall receive for his services as such the fees allowed other clerks for similar services in the supreme judicial court.

He shall appoint a deputy, approved by said justice, who shall act as clerk of said superior court whenever said court and the supreme judicial court happen both to be in session in said county.

And whenever said clerk of the supreme judicial court is absent, or the office is vacant, said justice may appoint one to supply the vacancy during such absence, or until an appointment is made by the governor and council, or by the supreme judicial court.

SECT. 4. The sheriff of the county of Cumberland shall attend said superior court, unless the supreme judicial court shall be in session in said county, in which case he shall specially designate a deputy, approved by said justice of said superior court, so to attend. And whenever it shall happen that said justice is prevented from attending at the time and place at which said court by law or by adjournment ought to be held, said sheriff or such deputy shall, by oral proclamation, adjourn said court from day to day, until said justice shall attend.

SECT. 5. Within said county, said superior court shall have exclusive appellate jurisdiction of civil appeals from municipal courts and trial justices, exclusive original jurisdiction of actions of scire facias on judgments and recognizances not exceeding five hundred dollars, of all bastardy trials, and of all other civil actions at law not exclusively cognizable by municipal courts and trial justices, where the damages demanded do not exceed five hundred dollars, except complaints for forgery, real actions, actions of trespass quare clausum, and concurrent original jurisdiction of actions of habeas corpus, and of all other civil actions at law where the damages exceed five hundred dollars, except complaints for forgery and real actions.

SECT. 6. Said court shall be held on the first Tuesday of every month, excepting June, July and August. Travelers juries shall be drawn and returned to serve at said terms as in the supreme judicial court, except that the same jurors may be required by the justice to serve for two successive terms.

All actions shall be made returnable at one of the three terms next begun and held after the commencement of such actions.

If the plaintiff desires a jury trial, he shall endorse the same upon his writ at the time of entry. The defendant shall, within fourteen days after entry, file his pleadings, and if the plaintiff has not demanded a jury, the defendant shall endorse on his plea his demand for a jury if he desires one. Whenever a jury shall be so demanded by either party, the clerk shall enter the fact on the docket, and all other cases, except appeals, shall be tried by the justice without the intervention of a jury, subject to exceptions in matters of law, in term time, or if both parties desire at chambers. A party demanding a jury shall pay the jury fee, and tax the same in his costs, which shall be the same as in the supreme judicial court, if he prevails; but in cases actually disposed of without a verdict, the jury fee, if any has been paid, shall be returned to the party paying it.

When a defendant, legally served, does not appear by himself or attorney within the first three days of the term, he shall be defaulted as in the supreme judicial court.

If the defendant does not file his pleadings as hereinbefore provided, he shall be defaulted on the first day of the next term after entry, unless the court for good cause shall grant leave to file a plea, or shall otherwise lawfully suspend the action.

All actions duly answered to shall be in order for trial at the next term after entry, and shall be so tried, except for good cause.

Appeals shall be entered by the appellant as in the supreme judicial court, and a jury fee, paid by him at the time of entry, and appeals shall be in order for trial at the first term.

SECT. 7. Exceptions may be alleged as in the supreme judicial court, and entered, heard and determined at the law term held in the western district, provided that when the next law term happens to be held in either of the other districts, the justice of the superior court may, on motion of the party not excepting, certify the exceptions in the said next law term, if, in his opinion, they are alleged, mainly for delay, but the party so moving shall be deemed to waive his right to be heard in opposition to said exceptions, which shall be entered and determined at said next law term without argument by said party and upon the oral or written argument of the party excepting.

Cases certified upon agreed statement of facts, reports and motions for new trials, shall be entered, heard and determined at the next law term in the western district, but any case for the law court may, by agreement of parties, be entered at the next law term held in either district.

And all exceptions arising in cases within the exclusive jurisdiction of said superior court may be certified at once by said justice to the chief justice of the supreme judicial court and shall, when so certified, be argued in writing on both sides within thirty days thereafter unless the justice of said superior court shall, for good cause, enlarge the time, and exceptions so certified shall be considered and determined by the justices of the supreme judicial court, as soon as may be.

Decisions of the law court on all exceptions and questions from said superior court shall be certified to the clerk of said superior court with the same effect as in cases originating in the supreme judicial court in said county.

SECT. 8. When a demurrer to a declaration is overruled, the defendant, notwithstanding he excepts, may plead anew within such time as the justice of the court shall direct, but in all cases where exceptions are alleged by the defendant, the action shall, notwithstanding, remain upon the docket of said superior court and be proceeded with as if no exceptions had been taken, until the case is in such a condition that the overruling of said exceptions would finally dispose of it.

And the action shall then be transferred to the law court, or certified to the chief justice thereof, as hereinbefore provided for the hearing and determination of all exceptions arising in any stage of the case.

SECT. 9. The supreme judicial court, sitting as a court of law for the western district, shall have the same jurisdiction of all questions of law, motions for new trials, and questions arising on reports or agreed statements of facts originating in said superior court, as if they had originated in the supreme judicial court for Cumberland county; and said law court sitting in either of the other districts shall have the same jurisdiction of all questions and motions certified thereto from said superior court, as hereinbefore provided.

And all provisions of law and rules of the supreme judicial court relative to the transfer of actions and other matters from the supreme judicial court for said county, or from its docket to the docket of said law court, and all provisions of law and rules regulating proceedings in such cases, and the effect of such proceedings, shall apply to the transfer of actions from said superior court or its docket to said law court, and to the proceedings in such cases, and the effect thereof, except so far as they may be inconsistent with the foregoing provisions of this act.

SECT. 10. Said superior court is hereby authorized to administer all necessary oaths, render judgment, and issue execution, punish for contempt, and compel attendance, as in the supreme judicial court; to make all such rules and regulations, not repugnant to law, as may be necessary and proper for the administration of justice promptly and without delay; and the provisions of law relative to the jurisdiction of the supreme judicial court in said county over parties, the arrest of persons, attachment of property, the time and mode of service of process, proceedings in court, the taxation of costs, the rendition of judgments, the issuing, service and return of executions, and all other subjects are hereby made applicable and extended to said superior court in all respects, except so far as they are modified by the provisions of this act; and said superior court is hereby clothed as fully as the supreme judicial court with all the powers necessary for the performance of all its duties.

SECT. 11. Final judgments in said superior court, may be re-examined in the supreme judicial court on a writ of error, or on petition for review, and when the judgment is reversed, the supreme judicial court shall render such judgment as said superior court should have rendered, and when a review is granted, it shall be tried in said supreme judicial court, which shall have the same power to grant writs of superseaders of executions issued from said superior court as it has of executions issued from the supreme judicial court.

SECT. 12. In case the justice of said superior court should, by reason of continued sickness, or other cause, be prevented from holding a term or terms of said court, any justice of the supreme judicial court may, at the request of said justice of said superior court, hold such term or terms of said superior court, in place of the justice so prevented.

And during a vacancy in the office of said justice of said superior court, all writs issued from the office to the clerk thereof, shall bear test of any one of the justices of the supreme judicial court.

Whenever the justice of said superior court shall be disqualified by interest or other lawful cause from trying any cause pending in said court, said cause shall thereupon be transferred to the docket of the supreme judicial court for said county, and disposed of in said court according to law.

SECT. 13. This act shall take effect March first, eighteen hundred and sixty-eight, and the first term of said superior court shall be held on the first Tuesday of April, eighteen hundred and sixty-eight.

At any term of the supreme judicial court for said county of Cumberland, after the next April term thereof, any action pending thereon which would fall within the exclusive jurisdiction of said superior court, as hereinbefore defined and established, with all papers belonging thereto and orders and decrees thereon, may, on motion of either party, be transferred from the docket of said supreme judicial court to the docket of said superior court, and entered, tried and have day therein as if it had originally been commenced therein, provided that the justice presiding in said supreme judicial court believes that a speedy trial may thus be obtained.

And upon the taking effect of this act, the jurisdiction of the supreme judicial court for the trial of civil cases in said county, shall be limited in conformity to the foregoing provisions, and all acts and parts of acts relating to courts and judicial proceedings shall be modified so far as to give full effect to this act, and all acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 14. The justice of said superior court may be appointed, commissioned and qualified at any time after the passage of this act, and his salary shall be twenty-five hundred dollars, payable quarterly. [Approved February 14, 1868.]

Chapter 132.

AN ACT relating to waiver of demand and notice by endorser of promissory notes and bills of exchange.

Be it enacted, &c.

SECT. 1. Hereafter, on waiving of demand and notice within this state, by an endorser of any promissory note or bill of exchange, shall be valid unless the same shall be in writing, signed by such endorser or his lawful agent.

SECT. 2. This act shall take effect when approved. [Approved Feb. 14, 1868.]

Chapter 133.

AN ACT to amend section forty-nine of chapter eighty-one of the revised statutes.

SECT. 1. Section forty-nine of chapter eighty-one

of the revised statutes is hereby amended by adding the words: "The appraisers may be sworn by the officer without fee or by a justice of the peace, or trial justice," so that the section shall read as follows:

Section 49. The appraisers shall be appointed, one by the creditor, one by the debtor, and one by the officer, and if the creditor or debtor neglects to appoint one the officer shall appoint one in his behalf. The appraisers may be sworn by the officer without fee, or by a justice of the peace or trial justice.

SECT. 2. This act shall take effect when approved. [Approved February 17, 1868.]

Chapter 134.

AN ACT regulating the duties of road commissioners and highway surveyors.

Be it enacted, &c.

SECT. 1. It shall be the duty of road commissioners of cities, highway surveyors of towns and organized plantations in this state, to go over their respective highway districts, or cause it to be done by others, the months of April, May, June, August, September, October and November, in each year, and remove the loose obstructions to the public travel, and repair such defects as may occur from time to time, rendering travel dangerous, or give notice of such defect to the municipal officers of the town.

SECT. 2. Any road commissioner or highway surveyor neglecting to comply with the provisions in section one of this act, shall be liable to a penalty of five dollars, which may be recovered by complaint, one half to the use of the town where such commissioner or surveyor resides, and one half to the complainant.

SECT. 3. This act shall take effect when approved. [Approved February 17, 1868.]

Chapter 135.

AN ACT providing for the amendment of the returns of deceased officers, on certain civil processes.

Be it enacted, &c.

When any deputy sheriff has made service of and returned any writ, execution, or other process, and died, the court, on satisfactory proof of the fact, may allow the sheriff under whom such deputy served, and in case of his death, any deputy of the same sheriff, in commission at the time of the service of such writ, execution, or other process, to amend the return thereof in the same manner, and with the same effect, as if amended by the officer who made such service and return. Provided, the rights of the parties shall not be affected thereby.

[Approved February 17, 1868.]

Chapter 136.

AN ACT additional to chapter eighty-one of the revised statutes in relation to maintaining error motions against persons not residents of this state.

Be it enacted, &c.

SECTION 1. When an action is brought by a person who is not an inhabitant of this state, or who cannot be found therein to be served with process, he shall be held to answer to any action brought against him here by the defendant in the first action. If the demands in the two cases are of such a nature that the judgment or execution in the one case can be set off against the judgment or execution by the other.

SECT. 2. If there are several defendants in the original action, each of them may bring such cross-action against the original plaintiff, and may be allowed to set off his judgment against that which may be recovered against himself and his co-defendant in the manner as if the latter judgment was against himself alone.

SECT. 3. The writ in such cross-action may be served on the person who appears as the attorney of a plaintiff in the original suit, and such services shall be as valid and effectual as if made on the party himself within this state.

SECT. 4. The court in which the actions, or one of them, are pending, may order continuance and think proper or necessary to enable the absent party to defend the action brought against him, and also enable either party to set off his judgment or execution against that which is recovered against him, if the actions shall not be unreasonably delayed by neglect or default of either party.

[Approved February 17, 1868.]

Chapter 137.

AN ACT to provide for the maintenance of action against parties filing petitions in bankruptcy.

Be it enacted, &c.

SECT. 1. In all actions pending in any court, before any justice of the peace, for recovery of a debt payable in bankruptcy, or of a character as would be discharged by bankrupt's certificate, when it shall appear that the defendant, or any one of the defendants, has filed his petition in bankruptcy, either before or after the commencement of the action, the action shall be continued until the proceedings in bankruptcy are closed, unless the plaintiff shall cause to be filed such bankrupt defendant's name from his suit, which he may do without costs: Provided, however, such defendant shall use due diligence in the prosecution of his bankruptcy proceedings, and shall fail to do so after one term's notice in writing from plaintiff, the court may, in its discretion, refuse farther delay.

SECT. 2. This act shall take effect when approved. [Approved February 17, 1868.]

Chapter 138.

AN ACT to amend section fifty-five of chapter eighty-six of the revised statutes in relation to trans process.

Be it enacted, &c.

The first specification of section fifty-five, chapter eighty-six of the revised statutes is hereby amended by adding after the word "him" in the second line the following words: "when either is payable in time and is not overdue," so that the specification is amended shall read:

"First. By reason of any negotiable bill, draft, note, or other security drawn, accepted, made, or endorsed by him when either is payable in time and is not overdue, except in the cases provided in the sixth third section." [Approved February 17, 1868.]

Chapter 139.

AN ACT to amend section twenty of chapter seventy-seven of the revised statutes.

Be it enacted, &c.

Section twenty of chapter seventy-seven of the revised statutes, is hereby amended, by inserting after the word "reception," in the second line of said section, the words "which shall be regarded as the rendition of judgment," so that said section, as amended, shall read as follows:

Section 20. The clerk of a county, by virtue of certificate, provided for in this chapter, stating the day of its reception, which shall be regarded as the day of the rendition of judgment, shall enter judgment, as of the preceding term, and execution may issue as of that term, but all attachments thereto

force continue to be valid until thirty days after the next term in that county." [App. Feb. 17, 1868.]

Chapter 160.

AN ACT additional to chapter six of the revised statutes, concerning taxes.

Be it enacted, &c.
 SECT. 1. All personal estate, as defined in section six of chapter six of the revised statutes, held in trust as a part of the trust fund, by any trustees or commissioners of sinking funds, whether deriving their authority from persons, wills or corporations, through the income thereof is not paid regularly to any beneficiaries, but is accumulated in their hands from year to year, may be taxed to said trustees or commissioners where they reside, and charged by them to the estate in their hands.
 SECT. 2. This act shall take effect when approved. [Approved Feb. 17, 1868.]

Chapter 161.

AN ACT relating to foreign express companies.

Be it enacted, &c.
 SECT. 1. The provisions of section twenty-two of chapter eighty-one of the revised statutes, so far as the same relates to service upon agents of foreign insurance companies, are hereby extended, so that the same shall apply to foreign express companies, and service may be made upon such express companies, in the same manner and with the same effect, as is provided by said sections relating to insurance companies.
 SECT. 2. This act shall take effect when approved. [Approved February 18, 1868.]

Chapter 162.

AN ACT to prohibit members of city governments and boards of selectmen from voting or being parties to contracts in certain cases.

Be it enacted, &c.
 SECT. 1. No member of any city government or board of selectmen of any town in this state shall in either branch of such city government, or in any board of selectmen, vote upon any question in which he is peculiarly interested, directly or indirectly, and in which his vote may be decisive; and no action of any city government or board of selectmen hereafter taken by means of a vote forbidden by the provisions of this act shall be legal.
 SECT. 2. No member of any city government in this state shall be interested, directly or indirectly, in any contract entered into by such city government while he is a member thereof; and any contract hereafter made in violation of this section shall be void.
 SECT. 3. The proceedings to restrain or prevent any action in violation of the preceding sections shall be the same as provided in chapter two hundred and thirty-nine of the public laws of eighteen hundred and sixty-four.
 SECT. 4. This act shall take effect when approved. [Approved February 19, 1868.]

Chapter 163.

AN ACT to amend section two of chapter one hundred sixteen of the revised statutes, in relation to the fees of trial justices and justices of the peace.

Be it enacted, &c.
 Section two of chapter one hundred sixteen of the revised statutes is hereby amended so as to read as follows:
 Fees of Trial Justices and Justices of the Peace.
 Section 2. For every blank writ of attachment and summons thereon, or original summons, ten cents.
 For every subpoena for one or more witnesses, ten cents.
 For the entry of an action, or filing a complaint in civil cases, including filing of papers, swearing of witnesses, examining, allowing and taxing the bill of costs, and entering judgment and recording the same, thirty cents.
 For the trial of an issue, eighty cents, and in case more than one day is consumed in such trial, two dollars for each and every day, after the first, actually employed in such trial.
 For a copy of a record or other paper, at the rate of twelve cents a page.
 For a writ of execution, fifteen cents.
 For a recognizance to prosecute an appeal, including principal and surety, twenty cents.
 For taking a deposition, affidavit, or disclosure of facts in any cause, not needing before himself, twenty cents. For writing the same with the caption, and for the notification to the parties and witnesses, at the rate of twelve cents a page; the justice who takes such affidavit, deposition or disclosure, shall certify the fee of himself, of the witnesses or the party disclosing, and of the officer serving the notifications.
 For taking a deposition in perpetual memory of the thing, the same fees as in taking other depositions.
 For administering an oath in all cases, except on a trial or examination before himself, and to qualify towns or parish officers, and a certificate thereof, twenty cents, whether administered to one or more persons at the same time.
 For taking the acknowledgment of a deed, with one or more seals, if it is done at the same time, and certifying the same, seventeen cents.
 For granting a warrant of appraisal in any case, and swearing appraisers, thirty-two cents.
 For receiving a complaint and issuing a warrant in criminal cases, fifty cents.
 For entering a complaint in a criminal prosecution, swearing witnesses, rendering judgment, and recording the same, examining, allowing and taxing the costs, and filing the papers, seventy-five cents.
 For recognizing persons charged with crimes for their appearance at the supreme judicial court, and for certifying and returning the same with or without sureties, twenty-five cents, to be paid by the persons so recognizing.
 For a mittimus for the commitment of any person on a criminal accusation, twenty-five cents.
 In case of a bastardy process, the fee may be charged as for like services in a criminal prosecution.
 For recognizance of debt and recording, forty-two cents.
 For drawing a rule of submission to referees, and acknowledging the same, thirty-three cents.
 For calling a meeting of any corporation, fifty cents.
 For an examination of a debtor under the laws for the relief of poor debtors, two dollars for each and every day actually employed in such examination, and this shall be in full payment for all official services and expenses attendant upon such examination, exclusive of travel.
 For travel on any official duty, at the rate of twelve cents a mile each way.
 And in all cases where the attendance of two or more justices is required, each of them shall be entitled to the fees prescribed for all services rendered by him personally. [Approved February 19, 1868.]

Chapter 164.

AN ACT relating to reviews in certain cases.

Be it enacted, &c.
 SECT. 1. A review may be granted in any case wherein judgment has been, or hereafter shall be rendered, where it appears that justice has not been done, through fraud, accident, mistake or misfortune, and that a further hearing would be just and equitable: Provided a petition therefor is presented to the court within six years after the rendition of judgment.
 SECT. 2. This act shall take effect when approved. [Approved February 19, 1868.]

Chapter 165.

AN ACT to amend section one of chapter one hundred and five of the public laws of the year one thousand eight hundred and sixty-seven.

Be it enacted, &c.
 SECT. 1. Section one of chapter one hundred and five of the public laws of the year one thousand eight hundred and sixty-seven is hereby amended by adding at the close of said section the following words, "if in this state, but if the owner or owners reside out of this state, they shall be taxable as heretofore provided," so that the said section as amended shall read:

"The first division of section eleven of chapter six of the revised statutes is hereby amended so as to read as follows: All goods, wares and merchandise, all logs, timber, boards and other lumber, and all stock in trade, including stock employed in the business of any of the mechanic arts in any town within this state, other than where the owners reside, shall be taxed in such town, if the owners, their tenants, or any person contracting under them for the building of any house, shop, store or vessel, occupy any store, shop, mill, wharf or wharfard therefor, for the purpose of such tenancy or contract, and shall not be taxable where the owner or owners reside, if in this state; but if the owner or owners reside out of this state they shall be taxed as heretofore provided."
 SECT. 2. This act shall take effect when approved. [Approved February 20, 1868.]

Chapter 166.

AN ACT to regulate the sale of lobsters by weight instead of count.

Be it enacted, &c.
 SECT. 1. Hereafter when lobsters are sold in quantities of more than twelve, they shall be sold by weight instead of count.
 SECT. 2. If any person shall violate the provisions of this act, he shall forfeit for each offence the sum of five dollars, to be recovered by complaint on action of debt, one-half to the town where the offence is committed; and one-half to the person suing therefor.
 SECT. 3. This act shall take effect when approved. [Approved February 20, 1868.]

Chapter 167.

AN ACT to amend chapter one hundred and eleven of the revised statutes concerning frauds and perjuries.

Be it enacted, &c.
 SECT. 1. Section six of chapter one hundred and eleven of the revised statutes is amended so as to read as follows:
 "Section 6. If a person who has contracted in writing to convey real estate, dies before making the conveyance, the other party may have a bill in equity in the supreme judicial court to enforce specific performance thereof against his heirs, devisees, executors or administrators, if commenced within three years after the grant of administration or the time when he is entitled to such conveyance, but not exceeding four years after the grant of administration: Provided however, that written notice of the existence of the contract be given to the executor or administrator within one year after the grant of administration."
 SECT. 2. This act shall apply to past as well as future causes of action, and take effect on its approval. [Approved February 21, 1868.]

Chapter 168.

AN ACT to repeal chapter one hundred and fifty of the public laws of eighteen hundred and sixty-two, entitled "An act additional to chapter eighty-one of the revised statutes, relating to civil actions."

Be it enacted, &c.
 SECT. 1. Chapter one hundred and fifty of the public laws of the year one thousand eight hundred and sixty-two is hereby repealed.
 SECT. 2. This act shall take effect when approved. [Approved February 21, 1868.]

Chapter 169.

AN ACT to amend section one of chapter seventy-one of the revised statutes relating to powers of judges of probate.

Be it enacted, &c.
 Section one of chapter seventy-one of the revised statutes is hereby amended by inserting in the second line thereof, after the word "license" the words the leading or, so that said section as amended shall read as follows:

"Section 1. Judges of probate, in the counties where the applicants hereinafter named were appointed, may license the sale or the leasing or exchange of real estate and certain interests therein, including land held in mortgage, and possession thereof taken for condition broken, and land taken on execution, although the right of redemption is not foreclosed, in whatever county the same is situated, in the following cases, on application:
 Item fifth of said section one is hereby amended by inserting in the fifth line thereof, after the word "or" the words to lease for any term of years, or, and after the word "sale," in the sixth line thereof, the word "lease," so that said fifth article as amended shall read as follows:

"Fifth. Of the friends or guardians of minors, and other incapacitated persons, that the guardians or other eligible suitable persons may be authorized to sell such estate of the wards, or any trees or timber standing thereon, and place the proceeds at interest, or to lease for any term of years, or to exchange any such estate when it fully appears that such sale, lease or exchange would be for the benefit of the wards."
 [Approved February 22, 1868.]

Chapter 170.

AN ACT authorizing pensions for disabled soldiers and seamen.

Be it enacted, &c.
 SECT. 1. Any person who has served by enlistment in the army or navy of the United States, in the war of eighteen hundred and sixty-one, on the quota of Maine, and who has been disabled by wounds or other injury received in said service in the line of duty, shall be entitled to a pension from the State of Maine, not exceeding eight dollars per month. Provided that such soldier or seaman is unable from his

own resources and the United States pension to obtain a livelihood.

SECT. 2. The widow during her widowhood, orphan children under twelve years of age, or the dependent mother or sister of any soldier or seaman, deceased from wounds, disease, or injury sustained in the service, while in the line of duty, are entitled to the same pension as is provided in section one, and under the same conditions. Provided that no more than eight dollars per month be paid to one family.

SECT. 3. Sections one and two of this act shall not be construed so as to include any soldier or seaman who was not a resident of this state at the time of entering the service, or who has and since become a resident thereof.

SECT. 4. The execution of this act shall devolve upon the governor and council who shall regulate the proof required to entitle applicants to the benefits of this act and issue certificates therefor.

SECT. 5. Upon the issue of said certificates, the treasurer of the city, town or plantation, where the pensioner resides, shall be notified thereof, and the said treasurer shall pay quarterly from the treasury of said city, town, or plantation, to the pensioner the amount specified and for the time specified in said certificate, take vouchers therefor, and the same shall be reimbursed to the said treasurer from the treasury of the state.

SECT. 6. The necessary blanks shall be issued to the mayors of cities, selectmen of towns, and assessors of plantations, as the governor may direct, and the expenses incurred in printing and distribution shall be paid out of the treasury of the state.

SECT. 7. This act shall take effect on the twenty-third day of February, and continue in force one year. [Approved February 23, 1868.]

Chapter 171.

AN ACT to amend chapter three hundred and twenty-one of the laws of eighteen hundred and sixty-five, relating to railroads.

Be it enacted, &c.
 SECTION one of chapter three hundred and twenty-one of the public laws of the year eighteen hundred and sixty-five, is hereby amended so that the section, as amended, shall read as follows:

"A railroad corporation may take and hold real estate for depot purposes, and for all necessary tracks or side tracks, wood sheds, repair shops, car engine and freight houses, and when the parties interested do not consent thereto, and cannot agree upon other persons to determine the question of necessity, and the extent thereof, the said corporation may make application to the railroad commissioners of this state to view the premises, and determine whether and how much of said estate is necessary for the reasonable accommodation of the traffic and appropriate business of the said corporation." [Approved February 24, 1868.]

Chapter 172.

AN ACT to amend section twenty-eight of chapter eleven of the revised statutes, relating to the location and erection of school houses.

Be it enacted, &c.
 SECTION 1. Section twenty-eight of chapter eleven of the revised statutes, is hereby amended, by inserting, after the word "officers," in the fifth line thereof, the words "or resides without the limits of this state, and has no authorized agent or attorney within the same," and by inserting, after the word "damages," in the eighth line thereof, the words, "or if such owner shall not reside within this state, upon depositing such damages in the treasury of such town or district for his use;" so that said section, as amended, by chapter one hundred and three of the laws of eighteen hundred and sixty-two, and by this act, shall read as follows:

"Section 28. When a location for the erection or removal of a school house and necessary buildings has been legally designated, and the owner refuses to sell, or asks an unreasonable price for it, in the opinion of the municipal officers, or resides without the limits of this state, and has no authorized agent or attorney within the same, they may lay out a school house lot, not exceeding forty square rods, and appraise the damages, as is provided for laying out town ways and appraising damages therefor, and on payment or tender of such damages, or if such owner shall not reside within this state, upon depositing such damages in the treasury of such town or district for his use, the town or district designating it may take such lot to be held and used for the purposes aforesaid; and when such school house is required of the town or district has ceased to be therefor for two years, it shall revert to the owner, his heirs or assigns."

SECT. 2. This act shall take effect when approved. [Approved February 24, 1868.]

Chapter 173.

AN ACT to grant certificates of service to soldiers who served in the war for the suppression of the rebellion.

Be it enacted, &c.
 SECTION 1. The governor is hereby authorized to issue certificates of appropriate design to all soldiers who served in the war for the suppression of the rebellion, and have been honorably discharged, and to widows or next in kin of such as have deceased, said certificate to contain a transcript of the record in the adjutant general's office of the service of the soldier.
 SECT. 2. The cost of said certificates shall not exceed, in the aggregate, the sum of two thousand dollars.

SECT. 3. This act shall take effect when approved. [Approved February 24, 1868.]

Chapter 174.

AN ACT to regulate certain fisheries.

Be it enacted, &c.
 SECTION 1. Any person who shall use any weir, trap, net, or net, other than a dip-net, for taking any kind of fish in any other than tide waters, except as hereinafter provided, shall be punished by a fine of not more than fifty nor less than ten dollars, and shall forfeit all implements so unlawfully used, and all boats employed in said unlawful fishery.

SECT. 2. Any person who shall take or kill any trout, salmon, tongue or whitefish, during the months of October, November and December, except as hereafter provided, shall be punished by a fine of not more than thirty nor less than ten dollars, and two dollars for each fish taken or killed, and shall forfeit all implements so unlawfully used.

SECT. 3. Any person who shall knowingly sell, offer for sale, or have in his possession any fish taken in violation of this act shall be punished by a fine of twenty dollars.

SECT. 4. Any person who shall introduce, by means of the living fish or the spawn, any muscalonge, pickerel, pike, or sun-fish or broom, yellow perch, or black bass, into any waters where they do not exist, except as hereinafter provided, shall be punished by a fine of one hundred dollars.

SECT. 5. Any person who shall, previous to the year eighteen hundred seventy-three, take any salmon, shad, alwives, herring or gaspereux, in those portions of the Androscoggin, Kennebec, Penobscot and Saint Croix rivers, and their tributaries lying above a point one-half mile below the lower dam on each of the said rivers, or shall, during the same time and within the same limits, use any trap, net or any other contrivance for taking the above fish, shall be punished by a fine of not more than fifty nor less than ten dollars for each offence, and a further fine of ten dollars for each salmon, five dollars for each shad, one dollar for each alwife, herring or gaspereux so taken, and shall forfeit all boats and implements so unlawfully used.

SECT. 6. No provisions of this or any other act shall prevent the commissioners, or other officers under chapter seventy-eight of the resolves of eighteen hundred and sixty-seven, entitled "resolve relative to the restoration of sea fish to the rivers and inland waters of Maine," or any act or resolve pursuant thereto, taking fish or causing them to be taken in any manner and at any time, for scientific purposes, or for the purpose of breeding and disseminating, or introducing or causing to be introduced any fish to any waters they may see fit; nor shall this act conflict with any rights granted to any parties who are engaged in the cultivation of fish; nor shall the first and second sections hereof apply to the waters of the Saint John river and its tributaries; nor shall the second section apply to the capture of the blue back trout in Franklin and Oxford counties.

SECT. 7. All penalties and forfeitures provided for in this act may be recovered by complaint, indictment or action of debt before any competent tribunal; and in cases where the offence is committed in any river or stream forming a boundary between two counties, or in any Lake or pond lying partly in two or more counties, the action may be brought in either county; one-half of all fines recovered shall be paid to the person prosecuting or suing therefor.

(Approved February 28, 1868.)

Chapter 175.

AN ACT to prevent obstructions to travel.

Be it enacted, &c.

SECTION 1. All persons are hereby forbidden to place rocks, stones, or any obstructions, in the traveled roads of this state, and leave them there, under penalty of a fine of one dollar for each and every offence, to be recovered to the use of the town where the offence is committed, on complaint before any competent tribunal.

SECT. 2. This act shall take effect when approved.

(Approved February 28, 1868.)

Chapter 176.

AN ACT to amend section nine of chapter seventy-eight of the revised statutes, relating to the courts in Washington county.

Be it enacted, &c.

SECTION 1. Section nine of chapter seventy-eight of the revised statutes, is hereby amended by striking out after the word "March," in the sixteenth line, the following words: "on the first Wednesday next after the first Tuesday of January and October," and inserting instead thereof the following words: "on the first Wednesday next after the third Tuesday of October," so that the whole clause as amended, shall read as follows: "In the county of Washington, at Marchias on the first Wednesday next after the third Tuesday of October, and on the first Wednesday next after the fourth Tuesday of April."

SECT. 2. This act shall take effect when approved.

(Approved February 27, 1868.)

Chapter 177.

AN ACT in addition to chapter ninety-two of the revised statutes relating to flowing lands and diverting water for purposes of mills.

Be it enacted, &c.

SECTION 1. In addition to the mode of service already provided, any complaint for flowage may be inserted in a writ of attachment, and served as other writs by attachment, summons and copy.

SECT. 2. This act shall take effect when approved.

(Approved February 27, 1868.)

Chapter 178.

AN ACT extending the time within which certain banks shall redeem their bills.

Be it enacted, &c.

SECTION 1. In all cases where the liability of any bank in this state to redeem its bills was extended by chapter eighty-five, section first, of the public laws of eighteen hundred and sixty-seven, until the first of March, eighteen hundred and sixty-eight, and in all cases where the liability of any bank in this state to redeem its bills would expire after the passage of this act, and previous to March first, eighteen hundred and sixty-nine, such liability shall be extended until the first day of March, eighteen hundred and sixty-nine, except such banks as are now in the hands of receivers.

SECT. 2. This act shall take effect when approved.

(Approved February 27, 1868.)

Chapter 179.

AN ACT giving additional power to the railroad commissioners.

Be it enacted, &c.

SECTION 1. The examination of railroads now required by law to be made by the railroad commissioners, shall be made at such times as they may deem necessary; and section seven of chapter two hundred thirty-eight of the public laws of eighteen hundred and sixty-four, which limits the time to which said examinations shall be made, is hereby repealed.

SECT. 2. Whenever a serious accident occurs on any railroad in this state, and any person or persons are injured thereby, it shall be the duty of the railroad commissioners to proceed immediately to the place where the accident occurred, and to make an examination into the cause of said accident, with authority to send for persons and papers, and make a statement of the cause and result of said accident in their annual report, and also in such other manner as they may deem requisite.

SECT. 3. All expenses incurred under the provisions of this act shall be paid by the respective railroads examined by said commissioners, at a rate of compensation as now provided by law.

(Approved February 27, 1868.)

Chapter 180.

AN ACT to provide for the taxation of costs.

Be it enacted, &c.

SECTION 1. In all actions now pending, or which may be hereafter commenced, in the supreme judicial court, in which a nonsuit or default shall be entered, a verdict rendered, or a report of referees accepted, either party shall, upon application to the court, have the costs recoverable in said action taxed by the clerk and passed upon by the court before the adjournment of the term.

SECT. 2. Either party who may be aggrieved by the allowance or disallowance of costs by the presiding judge, shall have the right to file exceptions thereto, said exceptions to be heard before the law court next held in the district in which said exceptions may be filed.

SECT. 3. If neither party shall request an adjudication upon the question of costs, at the term when the nonsuit, default, verdict, or acceptance of report of referees is entered, said hearing may be had after the adjournment of said court, before the clerk, and his decision shall be final.

SECT. 4. This act shall take effect when approved.

(Approved February 28, 1868.)

Chapter 181.

AN ACT to protect the public lands and the rights of settlers.

Be it enacted, &c.

SECTION 1. The actual settler who has purchased land of the state under the provisions of section twelve of chapter five of the revised statutes, is authorized to cut upon such land any timber or lumber he may actually need for building upon or fencing said land, and may cut any cedar upon the same for the immediate support of himself and family.

SECT. 2. Any action now pending against any purchaser of lands for cutting as aforesaid shall be discontinued, without costs to either party.

SECT. 3. The land agent is prohibited from hereafter issuing any permit for the cutting of timber or lumber upon any township or land set apart for settlement except upon lots not suitable for settlement, in the opinion of the land agent, and all permits given for cutting timber or lumber upon such lands, not expressly provided for by statute provision, are hereby revoked.

SECT. 4. This act shall take effect within thirty days after its approval.

(App. February 28, 1868.)

Chapter 182.

AN ACT additional to chapter ninety-one of the revised statutes, in relation to liens on goods in possession.

Be it enacted, &c.

SECTION 1. Any inn-holder or keeper of a boarding house in this state, shall have a lien upon the goods and personal baggage of his guests or boarders to secure the payment of any money due from such guests or boarders, for board and lodging, and may enforce such lien by a sale of such goods and personal baggage, in the manner provided in sections twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty and thirty-one of chapter ninety-one of the revised statutes, relative to liens on goods in possession.

SECT. 2. This act shall take effect when approved.

(Approved February 28, 1868.)

Chapter 183.

AN ACT to amend section thirty-nine of chapter one hundred and thirteen of the revised statutes, and explanatory of said chapter.

Be it enacted, &c.

SECTION 1. Section thirty-nine of chapter one hundred and thirteen of the revised statutes is hereby amended by adding to said section, the following words: "but nothing in this chapter shall be construed as exempting from distress for taxes any property of any name or description, except those implements, tools, and articles of furniture, which are by law exempt from attachment for debt, as named in section seventy-nine of chapter six of the revised statutes," so that said section as amended shall read as follows:

"Any person arrested or imprisoned by virtue of a warrant for the collection of a public tax, or any constable, collector, or deputy sheriff, arrested or imprisoned for default in collecting taxes committed to him shall have the privileges, and be subject to the obligations of this chapter, as if arrested or imprisoned on execution for debt; and for all purposes relating thereto, the assessors who assessed the taxes shall be deemed the creditors, and corresponding verbal alterations shall be made in the oath and certificate of discharge; but nothing in this chapter shall be construed as exempting from distress for taxes any property of any name or description, except those implements, tools, and articles of furniture, which are by law exempt from attachment for debt, as named in section seventy-nine of chapter six of the revised statutes relating to property exempt from distress for taxes."

SECT. 2. This act shall take effect when approved.

(Approved February 28, 1868.)

Chapter 184.

AN ACT to repeal an act entitled "An act to amend section four of chapter thirty-four of the revised statutes, relating to auctions and auctioneers."

Be it enacted, &c.

SECTION 1. Chapter one hundred and eighty-eight of the public laws of eighteen hundred and sixty-six, relating to auctions and auctioneers, is hereby repealed.

SECT. 2. This act shall take effect when approved.

(Approved February 29, 1868.)

Chapter 185.

AN ACT giving certain powers to the commissioners of fisheries.

Be it enacted, &c.

SECTION 1. During the continuance in force of chapter seventy-eight of the resolves of eighteen hundred and sixty-seven, entitled "Resolves relative to the restoration of sea fish to the rivers and inland waters of Maine," the commissioners appointed under said resolve may, at their discretion, on petition of three or more responsible persons, exercise the powers granted to county commissioners in sections twenty-two, twenty-three and twenty-four of chapter forty of the revised statutes, and the proceedings shall be as provided in said sections; but this act shall not be so construed as to give the commissioners any other ray than that derived from the resolve continuing in force chapter seventy-eight of the resolves of eighteen hundred and sixty-seven.

SECT. 2. This act shall take effect when approved.

(Approved February 29, 1868.)

Chapter 186.

AN ACT additional to chapter fifty-one of the revised statutes relating to the satisfaction of judgments against railroad corporations in certain cases.

Be it enacted, &c.

SECTION 1. Whenever any railroad corporation running cars and engines over its road in this state, and doing any damage to the property of individuals along the line of such road for want of sufficient fences, or by setting fire from its engine, or in any other manner for which such railroad corporation shall be held liable by law and for which judgment shall be recovered in any of the courts of this state, and execution issued upon such judgment, shall remain unsatisfied for the space of ninety days after a written demand upon its superintendent or treasurer, the rol-

ling stock or any part thereof used or worked upon such railroad, whether owned by the corporation owning said railroad or by other parties in whole or in part, shall be held to satisfy such judgment, and such rolling stock or any part thereof sufficient may be seized upon, any execution issued upon such judgment, and sold to satisfy the same, obviating the requirements of law for the sale of personal property in other cases.

SECT. 2. This act shall take effect when approved.

(Approved February 19, 1868.)

Chapter 187.

AN ACT to amend chapter one hundred and twenty-seven of the public laws of eighteen hundred and sixty-seven, relating to inspection and sale of petroleum, coal oils and burning fluids.

Be it enacted, &c.

SECTION 1. Section one of chapter one hundred twenty-seven, entitled "An act to provide for the inspection of petroleum and coal oils and burning fluids, and to regulate the manufacture and sale thereof," approved March first, eighteen hundred and sixty-seven, is hereby amended in the fourth line, after the word "persons," by inserting "and fix their compensation." Said section is also amended in the eighth line, after the word "with," by inserting "to Tagliabue's pyrometer or some other," so that as amended the clause shall read: "In every city and town in this state containing two thousand inhabitants or more, the mayor and aldermen, or the selectmen, shall, on or before the first of May, annually, appoint one or more persons, and fix their compensation, to be inspectors of petroleum and coal oil and burning fluid, who shall be sworn to the faithful discharge of their duty, and it shall be their duty, when requested, to inspect such oils and burning fluids by applying the fire test with Tagliabue's pyrometer or some other accurate instrument, to ascertain the igniting or explosive point thereof in degrees of Fahrenheit's thermometer, and they shall cause every vessel or cask thereof, by them so inspected to be plainly marked by the name of such inspector, the date of inspection, and the igniting or explosive point of the contents thereof."

SECT. 2. Section four of said act is hereby amended in the fourth line by striking out the words "or elsewhere," so that the section will read: "No person shall sell any such oil or burning fluid without first causing each cask or vessel of the same to be duly inspected and marked as aforesaid, unless it has already been so inspected and marked in this state; and if any person shall sell such oil or burning fluid that has not been so inspected and marked, or that has been so inspected and marked as unsafe for illuminating purposes, he shall be punished by a fine of not exceeding five hundred dollars, or by imprisonment in the county jail six months."

SECT. 3. This act shall take effect when approved.

(Approved February 29, 1868.)

Chapter 188.

AN ACT additional to chapter thirty-four of the revised statutes, and relating to the bonds of executors.

Be it enacted, &c.

SECTION 1. When it is expressly provided in the will of a testator that no bond shall be required of an executor, or that the bond shall be a specified sum, let-ter testamentary may issue, and sales of real estate, under the provisions of the will, be made and confirmed, without any bond having been given, or with the bond in the specified sum, as the case may be; but such an executor may at any time, whenever it may be shown from any cause to be necessary or proper, be required to appear and file a bond as in other cases.

SECT. 2. This act shall take effect when approved.

(Approved February 29, 1868.)

Chapter 189.

AN ACT to authorize certain town officers to remove fences to prevent snow drifts.

Be it enacted, &c.

SECTION 1. The municipal officers of cities and towns, or highway surveyors under the direction of municipal officers of cities and towns, may take down fences upon the line of public highways in this state, when in their judgment the same is necessary to prevent the drifting of snow in such highways, but in all such cases, fences so taken down shall in due season be replaced, in as good condition as when taken down, without expense to the owner.

SECT. 2. This act shall take effect when approved.

(Approved February 29, 1868.)

Chapter 190.

AN ACT to repeal section eighty-five of chapter three hundred and seven of the public laws of eighteen hundred and sixty-five, relating to inspection of state arsenals.

Be it enacted, &c.

SECTION 1. Section eighty-five, chapter three hundred and seven of the public laws of eighteen hundred and sixty-five requiring the committee on military affairs to visit the arsenals at Portland and Bangor annually, is hereby repealed.

SECT. 2. This act shall take effect when approved.

(Approved February 29, 1868.)

Chapter 191.

AN ACT relating to roads in unincorporated townships and tracts of land.

Be it enacted, &c.

SECTION 1. The county commissioners, on petition as provided in chapter eighteen, section one of the revised statutes, observing the directions contained in sections thirty-one and thirty-two of said chapter, may lay out, alter or discontinue a highway on or over any township or tract of land in their county, or within any town or plantation required by law to raise money to make and repair highways; and all expenses for making and opening the same are to be paid by the owners of such lands, excluding land reserved for public uses, in proportion to their interest in the lands over any part of which it is laid, except as hereinafter provided.

SECT. 2. Any party interested in such decision may appeal therefrom to the supreme judicial court, to be entered at the term thereof held first after such decision; the presiding judge, at that term, shall hear the case and allow or disallow the location, alteration or discontinuance in whole or in part in his discretion; and from his decision there shall be no appeal or exceptions. If the land owners appeal, and the decision is wholly against the prayer of the petition, the costs shall be paid by the county; otherwise by the party appealing. If such appeal is not entered, or if, after entry, no one appears and prosecutes the same at said first term, the judge shall disallow it and affirm the decision of the commissioners; and in either case, the clerk shall immediately certify to the commissioners the action of the court.

SECT. 3. If the final decision of the commissioners or of the court is against the prayer of the petition, no new petition for the same road shall be entertained.

ed by the commissioners for the year thereafter.

SECT. 4. When a road is so laid out over such lands, the commissioners shall immediately thereafter assess thereon such an amount as they judge necessary for making and opening it, and paying the expenses attending it, and such assessment shall create a lien upon such lands for the payment thereof; and they may make as many divisions as are equitable, conforming as nearly as is convenient to known divisions and separate ownerships, and assess upon each a sum proportionate to the value thereof, and the benefits likely to result to the same by the establishment of the road; Provided, that when it is made to appear to them that such assessment will be unreasonably burdensome and oppressive to such owners, they shall assess an equitable sum on the county, and the balance only on such lands. Any person who may deem himself aggrieved by any assessment, may have the right of appeal to the supreme judicial court, said appeal to be entered at the term thereof held first after such assessment; the presiding judge at that term shall, on a hearing of the case, determine what part of said assessment shall be paid by the owner or owners of the tract or townships, and what part, if any, by the county; and there shall be no appeal from such decision. They shall at the same time fix the time for making and opening such road not exceeding two years, and appoint an agent or agents, not members of their board, to superintend the same, who shall give bond to the treasurer of the county, with sureties, to be approved by the county commissioners, to expend the money faithfully, and to render account thereof on demand; and they shall publish a list of the townships and tracts of land so assessed, with the sum assessed on each, and the time in which the road is to be made and opened, in the state paper, and in some paper, if any, printed in the county where the lands lie, three weeks successively, the last publication to be within three months from the date of the assessment.

SECT. 5. If the owners of such lands shall make and open such road to the acceptance of the commissioners, after an actual examination by one or more of their board, within said time, the assessment shall thereby be discharged, otherwise it shall be enforced as hereinafter provided, and the agents shall proceed immediately to make and open such road.

SECT. 6. The county commissioners, in September annually, by one or more of their board, shall make an annual inspection of all county roads in the unincorporated townships and tracts of land in their counties; and thereupon they shall make an estimate of the amount needed to put them in repair, so that they shall be safe and convenient for public travel; assess such amount on said townships and tracts of land and cause so much thereof as they deem necessary for the purpose aforesaid to be expended on said roads within one year thereafter, and such assessment shall create a lien upon such lands for the payment thereof.

SECT. 7. They shall make such assessment by the first day of January in each year, and at the same time appoint an agent or agents, not members of their board, to superintend the expenditure thereof, who shall give bond with approved sureties, as aforesaid, to expend the money faithfully, and to render an account thereof on demand; and they shall publish a list of the townships and tracts of land so assessed with the sum assessed on each, and the roads on which it is to be expended, in the state paper, and in some paper, if any, printed in the county where the lands lie, three weeks successively, the last publication to be within three months from the date of the assessment.

SECT. 8. If by the fifteenth of July following in each year the owners of such lands shall repair such roads to the acceptance of the commissioners, after an actual examination by one or more of their board, the assessment shall be thereby discharged, otherwise it shall be enforced as hereinafter provided, and the agents shall proceed immediately to repair such roads.

SECT. 9. If any owner fails to pay the sum assessed on his land as aforesaid within two months after the time fixed for making and opening a new road, as provided in section five of this act, or within two months after the fifteenth of July for repairing roads, as provided in section eight of this act, the county treasurer shall proceed to sell the lands so assessed by advertising the lists of unpaid taxes, with the date of assessment, and the time and place of sale, in the state paper, and in some paper, if any, printed in the county where the lands lie, three weeks successively, the last publication to be at least thirty days before the time of sale. No bid shall be received at such sale for less than the amount due for the tax, costs and interest at twenty per cent per annum from the time prescribed for the payment of said tax; and the treasurer shall sell so much of such land as is necessary to pay the unpaid tax, costs and interest as aforesaid, and give a deed thereof to the purchaser, if any; and if no one becomes a purchaser at such sale, it shall be forfeited to the county; and such owner or part owner or tenant in common may redeem his interest therein at any time within two years from the sale or forfeiture by paying to the purchaser or the county the sum for which it was sold or forfeited, with interest at twenty per cent per annum, and any sums subsequently paid for state and county taxes thereon.

SECT. 10. In any trial at law in equity involving the validity of any sale or forfeiture of such lands as provided in the preceding section, it shall be prima facie proof of title for the party claiming, under it to produce in evidence the county treasurer's deed, duly executed and recorded, the assessments signed by the county commissioners, and certified by them or their clerk to the county treasurer, and to prove that the county treasurer complied with the requirements of law in advertising and selling such lands.

SECT. 11. Any owner of lands sold as hereinbefore provided shall be entitled to his share in any overplus of the proceeds of such sale on exhibiting to the treasurer satisfactory evidence of his title.

SECT. 12. Sections thirty-nine, forty and forty-one of chapter six, and sections thirty and thirty-three of chapter eighteen of the revised statutes, chapter twenty-three of the public laws of eighteen hundred and fifty-eight, chapter twenty-two of the public laws of eighteen hundred and sixty-six, and all other acts and parts of acts inconsistent with the provisions of this act, are hereby repealed, and this act shall take effect on its approval by the governor.

SECT. 13. Nothing in this act shall affect any proceeding already commenced either for the location or repair of roads, or any proceeding that may be necessary to put roads in repair the coming season.

[Approved February 29, 1868.]

Chapter 192.

AN ACT additional to and amendatory of an act establishing the times of holding the several terms of the supreme judicial court, approved February twenty-eight, eighteen hundred sixty-seven.

SECT. 1. In addition to the terms now provided

by law, the supreme judicial court shall be held annually, by one of the justices thereof, at the times and places following:

In the county of Somerset, at Norridgewock, on the third Tuesday of December.

In the county of Waldo, at Belfast, on the first Tuesday of January.

SECT. 2. The supreme judicial court shall be held on the first Tuesday of October, annually, at Bangor, within and for the county of Penobscot, instead of the third Tuesday of October, as is now provided by law. And shall be held on the third Tuesday of May, annually, at Alfred, within and for the county of York, instead of the fourth Tuesday of April, as is now provided by law.

SECT. 3. This act shall take effect when approved.

[Approved February 26, 1868.]

Chapter 193.

AN ACT additional to "An act to secure the safety and convenience of travelers on railroads," approved March twenty-six, anno domini eighteen hundred and fifty-eight.

Be it enacted, &c.

SECT. 1. All expressmen and all persons engaged in express business, shall have reasonable and equal terms, facilities, and accommodations for the transportation of themselves, their agents and servants, and of any merchandise and other property, upon any railroad owned or operated in this state, and for the use of the depot and other buildings and grounds of such corporation, and at any point of intersection of two railroads, reasonable and equal terms and facilities of interchange.

SECT. 2. Every railroad corporation offending against the provisions of the foregoing section, shall be liable to a penalty not exceeding five hundred dollars, to be recovered by indictment and to the party aggrieved, in an action of damages.

SECT. 3. This act shall take effect when approved.

[Approved February 29, 1868.]

Chapter 194.

AN ACT for the further protection of persons who have policies in marine insurance companies.

Be it enacted, &c.

SECT. 1. In all cases where a policy of insurance has been issued by any insurance company, and a note given for the premium that may be due on said policy, the policy and note shall be treated as parts of the same contract, and any loss occurring under the policy for which the company issuing the policy may be liable, shall or may be applied to the said note, whether such note is in the hands of the company, or their assignee or assignees.

SECT. 2. Where the insurance company is a foreign corporation, and has issued a policy to an inhabitant of this state, and loss occurs, such foreign corporation may be sued and jurisdiction sustained, if service be made by a copy of writ and declaration upon any member of such corporation who may be an inhabitant of this state, and resides in the county where such action is brought.

SECT. 3. This act shall take effect when approved.

[Approved March 3, 1868.]

Chapter 195.

AN ACT in addition to an act to provide for the restoration of the records of the court of probate for Cumberland county, approved March one, eighteen hundred sixty-seven.

Be it enacted, &c.

SECT. 1. All the provisions of the ninth, tenth, eleventh, twelfth and fourteenth sections of said act, relating to the return, verification and record of copies or abstracts of certain accounts therein specified and to the effect of such verification and record, shall apply to any accounts of administration which had been settled before the fourth day of July, eighteen hundred sixty-six; and any executor, administrator, guardian, trustee, assignee or surviving partner, may, at any time, voluntarily present to the court a copy, or abstract as nearly as may be, of any account settled before the day aforesaid, and a copy or abstract as nearly as may be of any inventory returned and recorded before that date, for verification and record as provided in said sections.

Upon the presenting or return of any such copies or abstracts of accounts under the sections aforesaid, or under this section, the judge shall order notice to all parties interested, unless they assent in writing thereto, of the time assigned for a hearing thereon; and may, in his discretion, order like notice upon any such copy or abstract of inventory. And the record of any such inventory, or abstract of inventory, when verified, and certified copies thereof, shall be prima facie evidence in any court.

SECT. 2. The third section of said act shall be amended, by striking out from the first line the words "of the record."

The sixth section shall be amended, by striking out from the last sentence but one of the same, the words "or that statement be established as the substance of the will."

SECT. 3. This act shall take effect when approved.

[Approved March 2, 1868.]

Chapter 196.

AN ACT increasing the amount of money which towns shall raise for the support of schools.

Be it enacted, &c.

SECT. 1. Every city, town, and plantation shall raise and expend, annually, for the support of schools therein, a sum of money, exclusive of the income of any corporate school fund, or any grant from the revenue or funds from the state, or of any voluntary donation, devise or bequest, or of any forfeiture accruing to the use of schools, not less than one dollar for each inhabitant, according to the census of the state, by which representatives to the legislature were last apportioned. [Approved March 3, 1868.]

Chapter 197.

AN ACT relating to evidence.

Be it enacted, &c.

SECT. 1. In the trial of any action where the executor or administrator of a person deceased is a party, the adverse party if nominal merely, and he has no interest in the subject matter of the suit, and had parted with his interest during the lifetime of such deceased person, shall not be excluded from testifying as a witness if called by either party. Provided, that nothing in this act shall apply to or affect any actions pending at its passage. [Approved March 4, 1868.]

Chapter 198.

AN ACT amendatory of chapter one hundred and seven of the revised statutes, relating to the taking of depositions.

Be it enacted, &c.

SECT. 1. Section twenty-nine of chapter one hundred and seven of the revised statutes, is hereby amended by striking out the words "at the time and place of adjournment," in the eleventh line thereof, and inserting the words "and if at the time and place

of the adjournment, the person so summoned shall not have been apprehended undersaid capias, the magistrate may adjourn to another day and from time to time, until the service of said capias can be completed;" and by adding at the conclusion of said section the following words: "the said capias may be served by the sheriff, deputy sheriff, or any constable of the county, in which the person so summoned shall reside and if such person so summoned shall avoid said process and escape into another county of the state, either of the said officers may pursue him into such other county, and there arrest him and bring him before said magistrate;" so that said section, as amended, shall read as follows:

"Section 29. When any magistrate, duly authorized, has summoned a person to appear before him, to give his deposition to be used in any cause pending in any court in this or any other state, or to perpetuate his testimony; the summons has been served and returned, by a proper officer or other person, and proof thereof is entered on the summons; legal fees have been tendered him a reasonable time before the day appointed for taking the deposition, and he refuses to attend, the magistrate may adjourn the time of taking his deposition, and issue a capias directed to a proper officer, to apprehend and bring him before him, and if, at the time and place of the adjournment the person so summoned shall not have been apprehended under said capias, the magistrate may adjourn to another day, and from time to time, until the service of said capias can be completed; and if, on being brought before the magistrate who is to take his deposition, he refuses to depose and answer such questions as are propounded to him by either of the parties or persons interested, under his direction, he may commit him to the prison of the county, for contempt, as the supreme judicial court may commit a witness for refusing to testify. The said capias may be served by the sheriff, deputy sheriff, or any constable of the county in which the person so summoned shall reside, and if such person so summoned shall avoid said process and escape into another county of the state, either of the said officers may pursue him into such other county, and there arrest him and bring him before said magistrate." [App. March 4, 1868.]

Chapter 199.

AN ACT to amend section one hundred and forty-six of chapter six of the revised statutes, relating to the recovery of money paid for taxes upon land of non-resident owners, where the requirements of the law have not been complied with.

Be it enacted, &c.

SECT. 1. Section one hundred and forty-six of chapter six of the revised statutes is hereby amended by striking out all after the word "that," in the fifth line, to the word "the," in the seventh line, and substituting the words, "the money raised was for an unlawful purpose," and by striking out all after the word "paid," in the eighth line, to the word "it," in the twelfth line, so that said section as amended shall read as follows:

"Any owner of the real estate so taxed having paid the taxes, charges and interest as aforesaid, may at any time within one year after making such payment commence a suit against the town to recover the amount paid, and if on trial it appears that the money raised was for an unlawful purpose, he shall have judgment for the amount so paid. If not commenced within the year, the claim shall be forever barred. The suit may be in the supreme judicial court, and the plaintiff recovering judgment therein shall have full costs, although the amount of damages be less than twenty dollars."

SECT. 2. This act shall take effect when approved.

[Approved March 4, 1868.]

Chapter 200.

AN ACT to amend chapter forty-three of the revised statutes relating to weighing of hay and other articles.

Be it enacted, &c.

SECT. 1. Section five of the forty-third chapter of the revised statutes is hereby amended by adding thereto the words, "which shall in all cases be paid by the purchaser," so that the last sentence of said section as amended shall read:

"Any city may purchase and keep for use, scales, for weighing hay and other articles, appoint weighers and fix their fees, which shall in all cases be paid by the purchaser."

SECT. 2. This act shall take effect when approved.

[Approved March 4, 1868.]

Chapter 201.

AN ACT to amend section twelve of chapter sixty-six of the revised statutes relating to insolvent estates.

Be it enacted, &c.

The twelfth section of chapter sixty-six of the revised statutes is hereby amended by inserting after the word "season," in the third line of said section, the words, "or, after giving such notice, has by accident or mistake omitted to further prosecute his appeal," so that the section as amended shall read as follows:

"Section 12. A person whose claim has been disallowed, in whole or in part, and who, by accident or mistake, has omitted to give notice to the probate office in season, or after giving such notice, has by accident or mistake omitted to further prosecute his appeal, may, within two years after the report is made, petition the supreme judicial court, and after notice to the administrator and hearing, leave may be given to commence a suit at the next term of the court in the county where the administrator resides, for the recovery of his claim. No decree of distribution can be disturbed by a judgment so recovered."

[Approved March 4, 1868.]

Chapter 202.

AN ACT to provide for the taxation of shares in certain local corporations.

Be it enacted, &c.

SECT. 1. The stock in any local corporation chartered for the purpose of supplying cities or towns with water or gas, held by any person out of the state or unknown, shall be subject to taxation in the city or town where such corporation is located or transacts its ordinary business, in the same manner, and subject to the same rules that are provided for the taxation of bank stock, in section one of chapter one hundred and ninety-three of the public laws of the year one thousand eight hundred and sixty-three.

SECT. 2. The power of assessors, collectors and treasurers of cities and towns in assessing and collecting the tax upon the stock named in the preceding section, shall be the same that are conferred upon such officers in relation to assessing and collecting taxes upon bank stock by sections one, two, three, four and five of chapter one hundred and ninety-three aforesaid, and the duties of treasurers of said local corporations named in section one of this act, shall be the same as are imposed upon cashiers of banks by said chapter one hundred and ninety-three, and

all laws created by said chapter shall apply to stock in local corporations named in this act.

SECT. 3. This act shall take effect when approved. [Approved March 4, 1868.]

Chapter 203.

AN ACT giving to widowed mothers the custody of minor children, and the control of their earnings.

SECT. 1. All the rights which fathers have to the custody of minor children, and to the control and disposal of their earnings, are hereby given to and conferred upon widowed mothers: Provided, that such minor children have no guardian duly appointed under the laws of this state.

SECT. 2. This act shall take effect when approved. [Approved March 4, 1868.]

Chapter 204.

AN ACT relating to recording lost deeds.

SECT. 1. In case any deed of real estate duly made, executed or delivered, before or after the passage of this act, has been or may be lost or accidentally destroyed, the grantee therein or any person claiming under him, may leave a true copy of it with the register of deeds in the county in which the land lies and it shall have the same effect for ninety days as a record of the deed.

SECT. 2. Within ninety days after the filing of such copy, the person filing the same or those claiming under him may apply to the same officers and in the same manner as are provided by section twenty-two of chapter one hundred and seven of the revised statutes to have the testimony of the subscribing witnesses to such lost deed, and of any other persons cognizant of the making, execution or delivery thereof, taken in the same manner as provided for the taking of depositions in perpetuam, except that in case any of the persons supposed to be interested adversely to the claimants under said lost deed reside out of this state and their place of residence is unknown, any justice of the supreme judicial court in term time or vacation may order notice of the time and place appointed for taking the testimony aforesaid to be given by publication in such manner as he may designate.

SECT. 3. Within ninety days after the filing of the copy named in the first section of this act, the depositions taken as contemplated in the foregoing section are to be filed and recorded in the registry of deeds in the county where the real estate is situated, and the copy of the deed filed as aforesaid, is to be recorded with said depositions and thereupon is to have the same force and effect that a record of the original deed would have had if made at the time of the first filing of the copy thereof, but the copy so filed and recorded, shall be liable to be impeached for any cause as the original deed.

SECT. 4. The copy filed as aforesaid, shall be deemed to have the same force upon the party filing it by way of estoppel or otherwise, as the original deed would have.

SECT. 5. Certified copies of the record of such deed and of the depositions taken, filed and recorded as herein provided, may be used in any trial or proceeding where the original deed would be admissible.

SECT. 6. This act shall take effect when approved. [Approved March 5, 1868.]

Chapter 205.

AN ACT relating to final judgment recovered in certain actions of replevin.

SECT. 1. In actions of replevin, when it appears that the right of the prevailing party is founded upon a claim upon the property replevied as security for a debt, upon the payment or tender of payment of such debt, with interest and costs, all his claim on the property replevied shall be thereby discharged, and judgment shall be for a return without costs: Provided, however, that the provisions of this act shall not apply to any case in which the title to the property replevied has become absolute by a foreclosure thereof in the manner now provided by law. [App. March 6, 1868.]

Chapter 206.

AN ACT additional to an act entitled "An act defining a mutual and open account current," approved February twenty-eight, eighteen hundred and sixty-seven.

SECT. 1. The provisions of an act entitled "An act defining a mutual and open account current," approved February twenty-eight, eighteen hundred and sixty-seven, shall not be so construed as to apply to or affect any action pending at the time of the passage of said act.

SECT. 2. This act shall take effect when approved. [Approved March 6, 1868.]

Chapter 207.

AN ACT relating to liens of mechanics and of persons furnishing materials.

SECT. 1. A person who performs or furnishes labor or materials for erecting, altering or repairing a house, building or appurtenances, by virtue of a contract with or by consent of the owner, shall have a lien thereon, and on the lot of land on which it stands, or on any interest such owner has on the land or on the equity of redemption, if under mortgage, to secure payment of such lien, and of the costs of its enforcement, which shall continue ninety days after payment becomes due, and may be enforced by attachment; and if a levy is made thereon, the appraiser may set out to the creditor a suitable lot for such building, if they think the whole not needed therefor.

SECT. 2. Such lien for materials furnished or labor performed shall not attach unless the person furnishing or performing the same, before so doing gives notice to the owner of the property to be affected by the lien, if such owner is not the purchaser or employer, that he intends to claim such lien.

SECT. 3. The owner of any such house, building or appurtenances, other than the party by whom a contract for labor and materials has been made, may prevent the attaching of any lien for labor thereon, not at the time performed, or materials not then furnished, by giving notice in writing to the person performing such labor, or furnishing such materials, that he will not be responsible therefor.

SECT. 4. Such lien shall be dissolved unless the person desiring to avail himself thereof, within thirty days after he ceases to labor on or furnish labor or materials for such house, building or appurtenances, goes in the office of the clerk of the city or town in which the same is situated, a statement of a true and just account of the amount due him, with all just credits given, together with a description of the property intended to be covered by the lien, sufficiently accurate for identification with the same of the owner or owners of the property if known, which certificate shall be subscribed and sworn to by the person

claiming the lien, or by some one in his behalf, and shall be recorded in a book kept for the purpose by the clerk of such city or town, who shall be entitled to the same fees therefor as for recording mortgages of equal length.

SECT. 5. No inaccuracy in such statement relating to the property to be covered by the lien, if the property can be reasonably recognized, or in stating the amount due for labor or materials, shall invalidate the proceedings, unless it appears that the person filing the certificate has willfully and knowingly claimed more than his due.

SECT. 6. Unless a suit for enforcing the lien is commenced within ninety days after the person desiring to avail himself thereof ceases to labor on, or furnish labor and materials for such house, building, or appurtenances, the lien shall be dissolved.

SECT. 7. This act shall take effect when approved. [Approved March 6, 1868.]

Chapter 208.

AN ACT in relation to bills in equity brought to redeem mortgages given by railroad corporations.

SECT. 1. In bills in equity brought to redeem mortgages given by railroad corporations to secure their bonds, or other indebtedness, it shall not be necessary to allege or prove a tender of the amount due thereon; but an averment therein that the complainants are ready and willing to redeem upon account rendered shall be sufficient to authorize the maintenance of such bill, if said bill is otherwise maintainable. This act shall not be construed to apply to any proceedings for the foreclosure of any such mortgage that shall have been had prior to the filing of such bill in equity. [Approved March 6, 1868.]

Chapter 209.

AN ACT to provide for the taxation of shares in national banks.

SECT. 1. The assessors of any city or town in this state, in which any association for the purposes of banking is or shall be established by authority of the United States, shall annually on the first day of April, or as soon after as may be, obtain from the proper officers of such association a full and correct list of the names and residences of all shareholders therein, and the number of shares held by each on said first day of April; they shall also ascertain the amount of the capital stock of such association, the par value and the fair market value of each share, and the amount and value of real estate held and owned by such association, and where the same is located.

SECT. 2. Such assessors shall, on or before the fifteenth day of April in each year, transmit to the assessors of the several cities and towns of this state wherein any such shareholders reside, a true copy of the list of the shareholders therein residing, the number of shares held by each, and a correct statement of the other facts required in the first section of this act.

SECT. 3. The assessors of each city and town in which any shareholder in such association resides, shall include all the shares in such associations held by persons or corporations resident and liable to taxation in said city or town, in the valuation of personal property of such person or corporation, for the assessment of all taxes imposed and levied in said town by authority of law, to be assessed at the same rate and subject to the same deductions as shares of state banks and other moneyed capital belonging to the citizens of such city or town and collected as other taxes are collected. The shares in such associations owned by persons residing out of this state shall be taxed in the city or town where said banking association is located and not elsewhere: Provided, however, that the taxation thereof shall not be at a greater rate than as above provided in the case of shareholders residing in this state.

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 5. This act shall take effect when approved. [Approved March 6, 1868.]

Chapter 210.

AN ACT explanatory of chapter one hundred and nineteen of the public laws of eighteen hundred and sixty-seven entitled "An act authorizing any city or town in this state to raise money to aid in the construction of any railroad in this state."

SECT. 1. Chapter one hundred and nineteen of the public laws of eighteen hundred and sixty-seven, entitled "An act authorizing any city or town in this state to raise money to aid in the construction of any railroad in this state," shall not be construed so as to give any city or town the right to make such subscription for more than five per cent in the whole, to one or more railroads, or to aid in the construction of any railroad by a loan of its credit or otherwise, to an amount exceeding said five per cent, unless authorized by an act of the legislature. [Approved March 6, 1868.]

Chapter 211.

AN ACT to repeal section four of chapter twenty-three of revised statutes relating to cattle running at large.

SECT. 1. Section four of chapter twenty-three of the revised statutes is hereby repealed.

SECT. 2. This act shall take effect when approved. [Approved March 6, 1868.]

Chapter 212.

AN ACT to amend chapter fifty-eight of the revised statutes, relating to agricultural societies.

SECT. 1. County and local agricultural societies may take and hold property, real and personal, the income of which shall not exceed three thousand dollars, to be applied exclusively to the advancement of agriculture, horticulture, and the arts connected therewith, and may mortgage, sell or convey the same for the purpose aforesaid.

SECT. 2. For the use and benefit of such societies, the treasurer of the same for the time being is authorized to receive any conveyance or lease of real or personal property, to hold, sell, mortgage or pledge the same for the use and benefit of the society, and shall give bond to the trustees of said society for the safe keeping of said property and for the faithful discharge of his duties.

SECT. 3. Section fourteen of chapter fifty-eight of the revised statutes is hereby amended so as to read as follows:

Section 14. Every society which receives bounty from the state shall award in each year by way of premiums or gratitudes, or shall expend in accordance with directions from the board of agriculture, a sum not less than the bounty so received for the encouragement and improvement of agriculture, horticulture or the mechanic arts, and it shall be competent for the board of agriculture to direct for what purposes and objects such expenditure shall be made, to an extent not exceeding one-half the bounty of the state.

SECT. 4. So much of chapter one hundred and thirty-seven of the acts of eighteen hundred and sixty-two as may conflict with the above is hereby repealed. [Approved March 6, 1868.]

Chapter 213.

AN ACT to define the duties of the superintendent of public buildings and to establish his salary.

SECT. 1. The duties of the superintendent of public buildings shall be for the entire year, the same as prescribed for the session of the legislature by a resolve approved March twenty-fifth, eighteen hundred and thirty-seven, and in addition thereto the governor and council may require him to perform any other duties from time to time that the public interest may require, which he shall perform without extra compensation. He shall receive in full for all his services the sum of one thousand dollars for each year, payable quarterly, and shall have no other perquisite or fee, either in money or property connected with his employment.

SECT. 2. Chapter thirty-seven of the public laws of the year eighteen hundred and sixty-six is hereby repealed.

SECT. 3. This act shall take effect when approved. [Approved March 6, 1868.]

Chapter 214.

AN ACT relating to tare on pressed hay.

SECT. 1. Every bale of scrawed or pressed hay may have four pieces of seasoned board, not more than four inches wide, or one inch thick, to keep the hay in place, one of which, or on one of the boards shall be marked the weight and tare of the bale, and the tare exceeding twelve pounds shall be deducted when sold in bundles.

SECT. 2. Chapter one hundred and six of the public laws of eighteen hundred sixty-seven is hereby repealed. [Approved March 6, 1868.]

Chapter 215.

AN ACT repealing chapter eighty-nine of the public laws of eighteen hundred sixty-seven, entitled "An act to provide for uniformity in the taxation of legal costs by the clerks of the courts of this state."

SECT. 1. Chapter eighty-nine of the public laws of eighteen hundred sixty-seven, entitled "An act to provide for uniformity in the taxation of legal costs by the clerks of the courts of this state," is hereby repealed.

SECT. 2. This act shall take effect when approved. [Approved March 6, 1868.]

Chapter 216.

AN ACT to enlarge the jurisdiction of the superior court in the county of Cumberland.

SECT. 1. The original and appellate jurisdiction now vested in and exercised by the supreme judicial court within and for the county of Cumberland, and all powers incident thereto, shall at the end of the next July term thereof, for the transaction of criminal business, be transferred to and conferred upon the superior court within and for said county, which court shall thereafter exercise the same in the same manner as theretofore authorized by law to be exercised by the supreme judicial court in said county.

SECT. 2. Said criminal business of said county of Cumberland shall, after the month of September next, be transacted at the terms of said superior court held on the first Tuesdays of January, May and September, together with the civil business of said court.

SECT. 3. All indictments and informations, and all criminal processes pending in said supreme judicial court for said county at the end of said next July criminal term thereof, shall be transferred to said superior court, and shall be entered, upon the docket of the same at the next January term thereof, and shall have day therein, and all warrants and recognizances, appeals in criminal cases, and all criminal processes whatever, which but for the passage of this act would be returnable to or which by law would be entered in said supreme judicial court in said county on the last Tuesday of November, eighteen hundred and sixty-eight, shall be returnable to and be entered upon the docket of said superior court at said January term thereof, and shall have day therein. And all parties, all grand and traverse jurors, witnesses and others who would, but for the passage of this act, be held to appear at said supreme judicial court for said county on the last Tuesday of November, eighteen hundred and sixty-eight, shall be held to appear at said January term of said superior court. Venues for grand jurors to serve at said superior court shall be issued at least forty days before the first Tuesday of September, annually, and such jurors shall serve at every term of said court for the transaction of criminal business throughout the year.

SECT. 4. All exceptions or questions of law arising in any way during the trial of criminal cases in said superior court, shall be transferred to the law docket of the supreme judicial court for the western district, and shall have day therein, and if said exceptions are sustained or a new trial is ordered, the cause shall be remanded to said superior court for trial. All motions for a new trial in criminal cases tried in said superior court, shall be heard and finally determined by the justice thereof.

SECT. 5. After the next July term of said supreme judicial court held within and for said county for the transaction of criminal business, the November and July terms of said supreme judicial court provided for said county by the second section of chapter one hundred and fifteen of the public laws of eighteen hundred and sixty-seven, shall be abolished, and no more terms of said supreme judicial court shall thereafter be held in said county for the transaction of criminal business.

SECT. 6. Section thirteen of the act of February fourteen, eighteen hundred and sixty-eight, establishing said superior court is amended by striking out from the second sentence thereof the words "after the next April term thereof."

SECT. 7. This act shall take effect when approved. [Approved March 6, 1868.]

Chapter 217.

AN ACT to amend chapter one hundred and one of the revised statutes, relating to the writ for replevy.

SECT. 1. Section one of chapter one hundred and one of the revised statutes is hereby amended by striking out all of said section after the word "criminal," in the third line, and substituting the following words: "he shall be entitled by his own application, or by any one in his behalf to the writ for replevy of the person, on making such application to any judge of the supreme judicial court, or within the county of Cumberland to the judge of the superior court for said

county, either in term time or vacation, whenever said judge in the exercise of his discretion shall direct that such writ be issued, and in no other manner, so that said section, when amended, shall read as follows:

Section 1. If any person is imprisoned, restrained of his liberty, or held in duress, unlawfully by a writ, warrant, or other process, civil or criminal, he shall be entitled, by his own application, or by any person on his behalf, to the writ for relieving the person, on making such application to any judge of the supreme judicial court, or to the judge of the superior court for the county of Cumberland, either in term time or vacation, whenever said judge in the exercise of his discretion shall direct that such writ be issued, and in no other manner.

SECT. 2. This act shall take effect when approved. [Approved March 6, 1868.]

Chapter 218.

AN ACT explanatory of chapter thirty-three of the public laws of eighteen hundred and fifty-eight, entitled an act for the suppression of drinking-houses and tipping-shops, and of chapter one hundred and thirty of the public laws of eighteen hundred and sixty-seven, additional to and amendatory of the same.

Be it enacted, &c.

SECT. 1. Chapter thirty-three of the public laws of eighteen hundred and fifty-eight, entitled an act for the suppression of drinking-houses and tipping-shops, and chapter one hundred and thirty of the public laws of eighteen hundred and sixty-seven, entitled an act additional to and amendatory of the same, shall not be construed to prohibit the sale of unadulterated cider in any case, nor shall said act be construed to prohibit the sale of domestic wines manufactured from fruits, the product of this state, for medicinal and sacramental purposes.

SECT. 2. This act shall take effect when approved. [Approved March 6, 1868.]

Chapter 219.

AN ACT to repeal the twenty-second section of chapter twenty-four of the revised statutes.

Be it enacted, &c.

SECT. 1. Section twenty-two of chapter twenty-four of the revised statutes is hereby repealed, and the following section is hereby substituted:

"Section 22. Persons living in places not incorporated, and needing relief, are under the care of the overseers of the oldest incorporated adjoining town, or the nearest incorporated town when there are none adjoining, who shall furnish relief to such persons in the same manner as though they were found in such town; and such overseers, as they may, those of paupers of their own town, and may bind out persons described in section twenty in the manner therein provided, residing in such unincorporated place, as if in their own town, such person being entitled to a like remedy and relief. When relief is provided for paupers residing in such places, the towns furnishing it are entitled to the same remedies against the towns where they have a settlement as if such persons resided in the town where the relief is afforded, and if such paupers have no legal settlement in any town in this state, then the state shall reimburse to the town affording relief the amount paid out and expended, or such portion thereof as the governor and council may adjudge to have been judiciously expended."

SECT. 2. This act shall take effect when approved. [Approved March 7, 1868.]

Chapter 220.

AN ACT providing for the appointment of a bank and insurance examiner, and defining his duties.

Be it enacted, &c.

SECT. 1. Instead of two bank commissioners, as now provided by law, there shall be appointed an examiner of banks and insurance companies, who, during his continuance in office, shall not hold any office in any bank or insurance company in the state, and who shall have all the powers and be subject to all the duties of said bank commissioners. He shall be appointed by the governor, with the advice and consent of the council, and shall hold his office for three years, subject to removal at any time by the appointing power. He shall be paid his actual traveling expenses, and four dollars per day for every day employed in his official duties, not, however, in the whole, to exceed six hundred dollars in any year; and the governor and council shall audit his account, and draw their warrant on the treasurer for the amount found due.

SECT. 2. Said examiner, in addition to his said powers of the bank commissioners as aforesaid, shall make an annual examination of each insurance company in the state, and shall also make an additional examination of any company, at such time as the governor and council may direct, or whenever requested in writing by five or more persons, each of whom shall be a stockholder or creditor, or otherwise peculiarly interested therein. Said examiner shall at all times have free access to the books and papers of every such insurance company, and shall thoroughly inspect and examine all its affairs, and make all necessary inquiries he may deem necessary to ascertain its condition and ability to fulfill its engagements, and whether it has complied with all the provisions of law applicable to its transactions.

SECT. 3. He may at any time require the agents of any insurance company located out of the state to exhibit the books kept by them relating to such agencies, and to make answer in writing or otherwise, and under oath, to all reasonable questions proposed by said examiner, or order to elicit a full statement of the business done for the company represented by such agent, and any agent refusing or neglecting to answer within a reasonable time such interrogatories, shall be prohibited from any longer acting as an insurance agent, and if he shall knowingly procure payment, or any obligation for the payment of any premium for insurance by fraudulent representations, he shall for each offence be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year.

SECT. 4. Said examiner may summon and examine on oath, which he may administer, the directors, officers and agents of any insurance company, and such other persons as he may think proper, in relation to the affairs, transaction and condition of such company; and whenever, without justifiable cause, he refuses to testify when so required, or who obstructs the examiner in the discharge of his official duty, shall for each offence be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year.

SECT. 5. If upon examination the said examiner is of opinion that a company is insolvent, or that its condition is such as to render its further proceedings hazardous to the public, or those holding its policies, he shall apply to a justice of the supreme judicial court to issue an injunction restraining said company, in whole or in part, from further proceedings with its

business until a full hearing can be had. Such justice shall forthwith issue the injunction, and after full hearing of all parties interested, may dissolve or modify the same, or make it perpetual. And he may make such orders and decrees as may be needful to suspend, restrain or prohibit the further continuance of the business of the company; and may appoint agents or receivers to take possession of the property and effects of the company, subject to such rules and orders as are from time to time, according to proceedings in equity, presented by the court, or a justice thereof in vacation.

SECT. 6. He shall prepare suitable forms for the returns required to be made by insurance companies and agents, subject to the approval of the governor and council, and shall annually, in the month of September, furnish to each insurance company in the state, and to the agents known to him of insurance companies out of the state but doing business in this state, two or more printed copies of the forms of returns to be made by them.

SECT. 7. When, in his opinion, an insurance company, officers or agents, have violated any law of the state relative to such company, he shall forthwith report the facts with such statements and remarks as he may deem expedient, to the secretary of state, and he shall give notice of the same to the attorney general, who shall at once prosecute said company, officer or agent thereof.

SECT. 8. He shall keep and preserve in a permanent form a proper record of the proceedings of each of said companies, including a concise statement of the condition of every company visited or examined by him.

SECT. 9. He shall annually, at the earliest practicable date after the returns are received from the several insurance companies and agents, make report to the legislature of the general conduct and condition of the several insurance companies in this state, and also as far as he may be able, of companies located out of the state and doing business therein, with such suggestions as he may deem expedient, and in connection therewith shall prepare an abstract of all the returns and statements made to him by insurance companies and agents as aforesaid. Such report shall be printed on or before the first Wednesday of January, annually.

SECT. 10. Any provision of law requiring the appointment of two bank commissioners, is hereby repealed. [Approved March 7, 1868.]

Chapter 221.

AN ACT to increase the efficiency of the state supervision of common schools.

Be it enacted, &c.

SECT. 1. The governor and council shall appoint a state superintendent of common schools, who shall be duly sworn and continue in office three years, or during the pleasure of the executive; and when a vacancy occurs, a new appointment shall be made for a like term.

SECT. 2. An office shall be provided for the state superintendent at the seat of government, where he shall preserve all school reports of this state and of other states which may be sent to his office, the returns of the superintending school committees of the various towns, and such books, apparatus, maps, charts, works on education, plans for school buildings, models, and other articles of interest to school-officers and teachers as may be procured without expense to the state.

Duties of state superintendent.

SECT. 3. The duties of the state superintendent shall be as follows:

First, to exercise a general supervision of all the public schools of the state, to advise and direct the town committees in the discharge of their duties, by circular letters and personal conference, devoting all his time to the duties of his office.

Second, to obtain information as to the school systems of other states and countries, and the condition and progress of common school education throughout the world; to disseminate this information, together with such practical hints upon the conduct of schools and the true theory of education as observation and investigation shall convince him to be important, by public addresses, circulars, and articles prepared for the press; and to do all in his power to awaken and sustain an interest in education among the people of the state, and to stimulate teachers to well directed efforts in their work.

Third, to take such measures as he may deem necessary to secure the holding of a state educational convention once each year, with a view of bringing together the teachers, school committees and friends of education generally, for the purpose of consultation with reference to the interests of common schools and the most improved method of instruction.

Fourth, in case sufficient encouragement is afforded by the citizens, to hold in each county once during each year a public meeting or institute for teachers and educators.

Fifth, to prepare and cause to be printed and distributed such portions of the proceedings of county and state institutes or teachers' conventions as he may deem important in the furtherance of the interests of education.

Sixth, to prescribe the studies that shall be taught in the common schools of this state, reserving to town committees the right to prescribe additional studies.

Seventh, to act as superintendent of the state normal schools, and perform the duties imposed upon the superintendent of common schools by the sixth section of the act establishing normal schools.

Eighth, Annually, prior to the session of the legislature, to make a report to the governor and council of the result of his inquiries and investigations, and the facts obtained from the school returns, with such suggestions and recommendations as in his judgment will best promote the improvement of common schools.

SECT. 4. The annual salary of the state superintendent shall be eighteen hundred dollars, exclusive of traveling and other necessary expenses incurred in the discharge of his duties, for which he shall receive such sums as he may actually expend, to be approved by the governor and council, not, however, exceeding five hundred dollars, to be paid quarterly, on the first days of April, July, October and January.

SECT. 5. Sections sixty-two to sections sixty-nine, inclusive of chapter eleven of the revised statutes, providing for the appointment of a superintendent of common schools, and all acts and parts of acts inconsistent with this act, are hereby repealed.

SECT. 6. This act shall take effect when approved. [Approved March 7, 1868.]

Chapter 222.

AN ACT to require municipal officers and constables of towns and cities, and assessors of plantations, to enforce the laws against drinking houses, gambling rooms and houses of ill-fame.

Be it enacted, &c.

It shall be the duty of the municipal officers and

constables of towns and cities, and assessors of plantations, to promptly enforce the laws of the state against drinking houses, gambling rooms and houses of ill-fame, and they shall make complaint against any person violating the above named municipalities against whom probable cause exists of either of the crimes named in this act. [Approved March 7, 1868.]

Chapter 223.

AN ACT additional to an act for the continuance of actions against parties filing petitions in bankruptcy, approved February seventeen, eighteen hundred and sixty-eight.

Be it enacted, &c.

SECT. 1. The act to provide for the continuance of actions against parties filing petitions in bankruptcy, approved by the governor the seventeenth day of February last, shall not be construed to apply to actions where there is an actual attachment of property, made four months prior to the filing of the petition in bankruptcy; but all such actions may be tried and disposed of as though the act to which this is additional had not been passed.

SECT. 2. This act shall take effect when approved. [Approved March 7, 1868.]

Chapter 224.

AN Act additional to and amendatory of chapter thirty-three of the laws of eighteen hundred and fifty-eight, and of chapter one hundred and thirty of the laws of eighteen hundred and sixty-seven for the suppression of drinking houses and tipping shops.

Be it enacted, &c.

SECT. 1. The punishment of imprisonment, as provided in sections one, two, three and four of chapter one hundred and thirty of the laws of the year eighteen hundred and sixty-seven, for the first conviction, instead of being additional to the fine provided in chapter thirty-three of the laws of the year eighteen hundred and fifty-eight, may be imposed instead of said fine, in the discretion of the court imposing sentence, and in case of any first conviction under the provisions of section seven of chapter thirty-three of the laws of the year eighteen hundred and fifty-eight, the fine so imposed in the discretion of the court shall be thirty dollars, instead of the sum now fixed by law; and in case of any conviction under the provisions of sections fourteen, nineteen or twenty of said act, the fine imposed shall be fifty dollars, instead of the sum now fixed by law.

SECT. 2. The penalties provided for by this act shall only apply in cases of prosecutions commenced after the date of the approval of this act; and nothing contained herein shall be taken as in any way changing the penalty in any prosecution now pending under the provisions of either of the chapters before mentioned.

SECT. 3. This act shall take effect when approved. [Approved March 7, 1868.]

Chapter 225.

AN ACT providing for the equalization of municipal war debts and a limited assumption and reimbursement thereof by the state.

Whereas, the several cities, towns and plantations in the State of Maine, in responding to the calls of the president for their quotas of troops during the war for the preservation of the national existence, were called upon to pay large bounties to those of their fellow citizens who enlisted in defence of the men and property of the nation; and whereas, in consequence of these quotas having been furnished on the basis of population within the military ages, many of the smaller and poorer towns are unequally burdened by debts thus incurred for the common defence; and whereas, the legislature of Maine, by a resolve approved March twenty-fifth, in the year of our Lord one thousand eight hundred and sixty-four, recognizing the justice of equalizing these burdens so far as practicable, declared that the state should assume some portion of such debts; therefore,

Be it enacted, &c.

SECT. 1. Each city, town and plantation shall receive and be reimbursed from the state one hundred dollars for every man furnished for the military service of the United States, towards its quota for the term of three years under the call of the president of July second, eighteen hundred and sixty-two, and all subsequent calls, and in the same proportion for every man so furnished and accepted for any shorter period, in manner as hereinafter provided.

SECT. 2. The governor and council shall appoint a commission of three persons of ability, who shall be qualified by oath before the governor and council, and who shall audit the claims of cities, towns and plantations for reimbursement under this act, with power to send for persons and papers, and they shall meet at such place or places as they may find convenient for the thorough investigation of each of said claims, and their decision shall be final and without appeal.

SECT. 3. Whenever said commission shall determine what amount any city, town or plantation is entitled to be reimbursed under the provisions of this act, they shall issue a certificate thereof under their hands to said city, town or plantation, and a duplicate of the same to the state treasurer; and whenever said certificate shall be presented to the state treasurer by the treasurer of said municipality, or some duly authorized agent thereof, then the said treasurer shall issue to said city, town or plantation the bonds of the state, as herein provided, with the fractional excess less than one hundred dollars in currency. Or if any city, town or plantation shall elect to receive the value of its said bonds in currency, then the said treasurer shall sell the same on account of said city, town or plantation, and pay to the same the net proceeds of said sale.

SECT. 4. The treasurer of state, with the advice of the governor, is hereby authorized to procure on the faith of the state, by issuing the bonds thereof, a loan or loans of three million five hundred thousand dollars, or so much thereof as may be needed for the payment of such sums as the cities, towns and plantations may be entitled to be reimbursed under this act. Said bonds to be dated April first in the year of our Lord one thousand eight hundred and sixty-nine, and bearing interest at the rate of six per cent a year, payable both principal and interest in Boston, or at the treasury of Maine, at the option of the holder; and the treasurer is hereby authorized to issue bonds therefor in sums not less than one hundred dollars each, with coupons for the interest, payable semi-annually. Each bond aforesaid, shall be signed by the treasurer, countersigned by the governor, and attested by the secretary of state, with the seal of the state, but the coupons shall be signed by the treasurer, or by some person duly authorized by him, or the name of the treasurer may be engraved on said coupons as the governor and council shall direct. And the treasurer may advertise for proposals for any or all of the loan

hereinafter named, in such papers as he shall deem expedient.

SECT. 5. They shall be raised by taxation each year, commencing with eighteen hundred and sixty-nine, the interest on such sums as said commission may find due under the provisions of this act, together with such a sum for a sinking fund as invested year by year will meet the payment of said bonds at their maturity, to be assessed and collected at the same time and in the same manner as the usual state tax and in addition thereto, and the said named sums so raised is hereby pledged, and shall be held as a sinking fund to be invested as hereinafter provided, and applied to the payment of the principal of the bonds issued by the authority of the fourth section of this act. The state treasurer, with the advice of the governor, shall from time to time, as said sinking fund shall be received into the treasury, invest the same, as well as the income of said fund as it shall accrue, in any of the bonds of this state or the bonds of the United States; and the proceeds of such investments, as they fall due and are paid into the treasury, shall be re-invested in like manner and be held by said treasurer for the purposes herein mentioned. The treasurer shall keep a register of all the investments made by him as herein provided, showing the date, amount and number of each bond, by whom issued and when it will mature; and in his annual report he shall include an exhibit of the amount and condition of said sinking fund.

SECT. 6. No towns or plantations which furnished their quotas as aforesaid without the payment of any bounty or by the payment of a less aggregate bounty than the sum reimbursable under this act, shall be entitled to receive the certificate provided by section third, until they shall have furnished the commission with a certified copy of a vote of such towns or plantations appropriating the sum to which they would be entitled of the surplus of the same above the amount actually paid out, to the soldiers who enlisted or were drafted and went any time during the war, or if deceased to their legal representatives. No money or bonds shall be paid to any city, town or plantation for money when it is in evidence that said credit was granted by the state as a gratuity for which they have paid no consideration. No payment shall be made to any city, town or plantation under the provisions of this act, until all sums due to the state from said city, town or plantation shall be fully liquidated.

SECT. 7. All payments received by any city, town or plantation, under the provisions of this act, shall be deemed as relieving the state from all further claims on account of their respective war debts, and the same shall be applied to the extinguishment of the indebtedness of said municipalities incurred prior to the passage of this act, and as provided for in section six, and for no other purpose; but whenever any such municipality shall not be indebted at such time to the amount it may receive from the state as herein provided, it shall apply such portion thereof as may be sufficient for the liquidation of its indebtedness, and is authorized to make such disposition of the remainder as such municipality may determine for its corporate purposes; but in no case shall the same be divided per capita, or distributed in any manner among the inhabitants thereof.

SECT. 8. The commissioners shall report their doings at any time when requested by the governor and council, and shall make a final report of all their doings as soon as may be, during the year one thousand eight hundred and sixty-nine, to the said governor and council.

SECT. 9. Said commissioners are authorized to choose a clerk who shall be by them sworn, and shall keep a full record of their proceedings. They are also authorized to administer oaths and affirmations to municipal officers and other persons.

SECT. 10. Any person wilfully and corruptly swearing or affirming falsely to any material matter before said commissioners, or either of them, shall be deemed guilty of perjury and punished by imprisonment not less than one nor more than five years; and any person procuring another to commit perjury before said commissioners, or either of them, shall be punished in like manner; and if any person shall wilfully and corruptly endeavor to induce or procure another to commit perjury before said commissioners, or either of them, though it is not committed, he shall be punished by imprisonment not less than six months nor more than two years. And any person who shall falsely make, alter, forge or counterfeit any certificate, endorsement or signature of said commissioners, or either of them, or of their clerk, or with intent to defraud shall falsely make, alter, forge or counterfeit any public record or proceeding, or any paper, writing or document filed with or presented to them, or either of them, and any person uttering and publishing as true any instrument before mentioned, knowing it to be false, forged or counterfeit, shall be punished by imprisonment not less than one nor more than five years.

SECT. 11. To defray the expenses incurred in the execution of this act, the governor is hereby authorized and directed to draw his warrant from time to time, for said expenditures, provided they are audited and allowed by the governor and council.

SECT. 12. This act shall be published by the secretary of state in some newspaper in every county where a newspaper is printed, for three successive weeks immediately previous to the annual election in September next, with the resolves of this legislature providing for an amendment of the constitution so as to authorize a limited reimbursement of municipal war expenditures by loaning the credit of the state.

SECT. 13. Sections twelve and thirteen of this act take effect when the act is approved by the governor, and the remaining sections shall take effect on the first day of November, eighteen hundred and sixty-eight; but if it shall not appear by the proclamation of the governor, as provided in the resolves hereinafore named, that a majority of the inhabitants voting on the question proposed in said resolves are in favor of the amendment proposed therein, and that said amendment has become part of the constitution, then said sections from one to eleven, inclusive, of this act shall be inoperative and void. [App. March 7, 1868.]

Chapter 226.

AN ACT for the better management of the insane hospital.

Be it enacted, &c.
SECT. 1. Any person now in the insane hospital, committed by order of any court, for observation, and awaiting trial, shall be discharged by the superintendent if not sent for by the court committing him or her during the next term of said court. And every

person hereafter so committed by any court shall be discharged by the superintendent if not sent for by the court during the then next term of said court after the term of which he was committed. But every such person shall be liable to be recommitted by the municipal officers of the town where such person belongs, if found to be insane, to be supported in the same manner as other persons so committed by said municipal officers.

SECT. 2. The superintendent of the Maine insane hospital, shall be and is obliged to post up in conspicuous places, printed cards which shall prescribe the rules and regulations that shall govern the attendants who have charge of the patients who occupy the several galleries of the above named institution.

SECT. 3. If it should be made to appear that any injustice is done or any humane law is violated by any attendant of the Maine insane hospital in the discharge of his duty, he shall be immediately discharged from his office; and when any flagrant abuse is committed by such attendant, he shall be summarily dealt with according to the provisions provided for in the following section.

SECT. 4. If any attendant of the insane hospital shall intentionally abuse or ill-treat any inmate of the hospital so that the fact is proved to the satisfaction of the superintendent, said attendant shall be immediately discharged from office. And it shall be the duty of the superintendent of the above named hospital to make complaint against said attendant, before any court having jurisdiction of the offences charged, and if the defendant shall be found guilty, he shall be fined not less than one hundred dollars or more than five hundred dollars, or he may be sent to the county jail for a term not exceeding ninety days.

SECT. 5. This act shall take effect when approved. [Approved March 7, 1868.]

AN ACT to amend chapter three hundred sixty-four of the special laws of eighteen hundred sixty-four, relating to salmon in Deany's river.

Section two of chapter three hundred sixty-four of the special laws of eighteen hundred sixty-four, is hereby amended by striking out the word "fifty" in the fifth and in the sixth lines, and inserting instead thereof the word "fourty" in each case, and by striking out the word "one" in the seventh line, and inserting instead thereof the word "two," so that the said section as amended shall read as follows:

"Section 2. If any person, for the purpose of taking or obstructing the passage of said fish in any part of said river, or in the tide water within five miles of the head of the tide in said river, shall use any drift, drag, or sweep net, or shall use any set net more than forty feet long, or which, with other artificial obstructions made for the purpose, extend more than forty feet, or which shall be set within two hundred feet of any other net, trap, or fish weir, or shall make use of torches or any other artificial light, or shall use any set net, trap or fish weir above the lower bridge on Deany's river, or use those or any other means at any season of the year above the mills on said river, or shall make use of any way or means whatever for catching, destroying, or obstructing said fish between sunset on Thursday, and sunrise on Monday of the following week, or at any time after the first of September in any year, or if he shall for any other purpose, inconsistent with the proper objects of this act, make use of any of the above mentioned means in any of the modes or times herein prohibited, he shall forfeit the nets, spears, canoes, or other implements used, and shall also forfeit and pay the sum of ten dollars, and two dollars for every salmon caught, or in default of payment shall be imprisoned in the county jail not exceeding twenty days, nor less than ten. Provided, that by none of the provisions of this act shall fish fishing, so called, be excluded at any place on the river, except during the prohibited days, or after the first of September, neither shall the implements thereof be subject to forfeiture at any time." [Approved February 28, 1868.]

AN ACT additional to an act to regulate the taking of fish in the Damascene river, approved January twenty-fifth, eighteen hundred and sixty-seven.

SECT. 1. No person who has taken fish by nets within sixty days after the approval of an act entitled "An act to regulate the taking of fish in the Damascene river," approved January twenty-fifth, eighteen hundred and sixty-seven, shall be liable to the penalty therein provided.

SECT. 2. This act shall take effect when approved. [Approved February 19, 1868.]

AN ACT to cede to the United States jurisdiction over certain land in Machias.

That there be and hereby is ceded to the United States of America the jurisdiction of such lot or parcel of land as may be selected in the town of Machias, as a site for a custom house in said place. Provided, always, that this cession of jurisdiction is granted and made upon the express condition that the state of Maine shall retain a concurrent jurisdiction with the United States in and over the said tract of land and every portion thereof, so far that all process, civil or criminal, issuing under the authority of said state, or any officers thereof, may be executed by the proper officers thereof, upon any persons amenable to the same, within the limits and extent of said tract of land in like manner and to like effect as if the said jurisdiction had not been ceded, saving, however, to the United States security to their property within the limits and extent of such lot as may be selected, an exemption of the same and the said tract of land from any taxation under the authority of said state or town, whilst the same shall continue to be owned, held, used and occupied by the United States as a site for a custom house, and not otherwise. [Approved February 24, 1868.]

AN ACT to cede to the United States jurisdiction over certain land in Wiscasset.

That there be and hereby is ceded to the United States of America the jurisdiction of such lot or parcel of land as has been or may be hereafter selected in the town of Wiscasset, as a site for a custom house in said place. Provided, always, that this cession of jurisdiction is granted and made upon the express condition that the state of Maine shall retain a concurrent jurisdiction with the United States in and over the said tract of land and every portion thereof, so far that all process, civil or criminal, issuing under the authority of said state, or any officer thereof, may be executed by the proper officers thereof, upon any persons amenable to the same, within the limits and extent of said tract of land, in like manner and

to like effect as if the said jurisdiction had not been ceded, saving, however, to the United States security to their property within the limits and extent of such lot as may be selected, an exemption of the same and said tract of land from any taxation under the authority of said state or town, whilst the same shall continue to be owned, held, used and occupied by the United States as a site for a custom house, and not otherwise. [Approved March 4, 1868.]

AN ACT for the preservation of fish in Swett's pond in the town of Orrington.

SECT. 1. If any person or persons shall take or destroy any fish in Swett's pond or its tributaries, situated in the town of Orrington, during the months of December, January and February of each year, said person or persons shall forfeit, for each fish so taken or destroyed, the sum of three dollars, to be recovered by complaint or an action for debt, one-half to the use of the town where the offence is committed, and one-half to the person prosecuting therefor.

SECT. 2. This act shall take effect when approved. [Approved February 26, 1868.]

AN ACT to protect certain fishing interests in the Sandy river ponds, and Lufkin pond.

SECT. 1. That no person shall take any fish from the Lufkin pond in Phillips, or from the Sandy river ponds, both in said county of Franklin, or in any of their tributaries within a fourth of a mile of said ponds, for three years from the day of the passage of this act, under a penalty of ten dollars for each fish taken, to be recovered in the manner provided in chapter forty, section fifty-one, of the revised statutes.

SECT. 2. This act shall take effect when approved. [Approved February 7, 1868.]

AN ACT to prevent obstructions in Weesag creek, in the town of South Thomaston.

Any person or persons who shall be convicted of casting or throwing into Weesag creek, in the town of South Thomaston, any staves, edgings of staves and heading blocks, or any other kinds of refuse lumber, shall forfeit and pay, for each offence, to the proprietor, a sum not exceeding twenty dollars nor less than five dollars, and shall also be liable to pay all damages which any individual may suffer by reason of such obstruction. [Approved February 12, 1868.]

AN ACT relating to the sale of timber and grass on the Indian township in Washington county.

SECT. 1. The act entitled "An act defining the ownership of down timber," approved February nineteen, eighteen hundred and sixty-seven, shall not be construed so as to affect in any manner the rights or privileges of parties under any contracts made by the land agent, by virtue of a resolve entitled "Resolve providing for the sale of timber and grass on Indian township," approved March thirty, eighteen hundred and sixty-three.

SECT. 2. This act shall take effect when approved. [Approved February 28, 1868.]

AN ACT to regulate the driving of logs on the Penamquin river in Penobscot.

SECT. 1. No person or persons shall be permitted to drive or sluice logs by or through any dam used for mill or manufacturing purposes and lawfully existing on the Penamquin river in Penobscot, without the consent of the owner of such dam, except as hereinafter provided.

SECT. 2. Any person intending to drive or sluice, by or through such dam, his own or the logs of another, may do so, using reasonable dispatch, at any time before the tenth day of June in each year, or at any other time when the water in said river is so high as to cause it to run to waste over the top of such dam: Provided he shall have given to the owner or person in charge of such dam, notice in writing, of such intention twenty-four hours before the time mentioned in said notice for such driving or sluicing.

SECT. 3. This act shall take effect when approved. [Approved February 27, 1868.]

AN ACT to abolish the June term of the county commissioners' court in Aroostook county.

SECT. 1. The June term of the county commissioners for Aroostook county is hereby abolished.

SECT. 2. This act shall take effect when approved. [Approved February 17, 1868.]

AN ACT to regulate the taking of trout and pickerel in Wilson pond in the town of Auburn.

SECT. 1. No person shall take or destroy any trout or pickerel in Wilson pond, in the town of Auburn, its tributaries and outlets, within the limits of this state, except by the ordinary process of angling, with single baited hook and line on artificial fly.

SECT. 2. Whoever sets any net, seine, weir, or trap, or uses any grapple or spear in the aforesaid waters, for the purpose of taking or destroying trout or pickerel, shall forfeit for each offence ten dollars, and whoever takes or destroys any trout or pickerel therewith shall forfeit five dollars for each fish so taken or destroyed.

SECT. 3. All nets, seines, weirs or trawls, set in said waters contrary to the provisions of this act, shall be forfeited to any person seizing the same, and no action shall be maintained in any court in this state against any person or persons for the recovery of damages for the taking or destruction thereof.

SECT. 4. The penalties and forfeitures provided for in this act may be recovered and appropriated as in section fifty-one, chapter forty, of the revised statutes.

SECT. 5. This act shall take effect when approved. [Approved February 7, 1868.]

AN ACT to prevent the taking of pickerel and trout in Great Bear pond and Little Bear pond in the town of Hartford.

SECT. 1. The taking of pickerel or trout from the waters of Great Bear pond and Little Bear pond in the town of Hartford, and in the outlet of Great Bear pond to the mill dam at North Turner, is hereby prohibited and made unlawful for and during the term of five years from the passage of this act.

SECT. 2. Any person who shall take from the waters described in the first section of this act any trout or pickerel within the time named in the foregoing section of this act, shall forfeit the sum of five dollars, to be recovered by complaint before a trial justice on action of debt, one-half to the prosecutor and the other half to the town of Hartford, in the county of Oxford.

SECT. 3. This act shall take effect when approved. [Approved February 17, 1868.]