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MISCELLANY.

STUCK FAST.

About a year after my scaffold accident I got home one night, and Mrs. Burge—that's our next door neighbor—shows me something wrapped up in flannel, all pink and crumpled, and very snugly, as tho' it wanted its nose blowing; which couldn't be expected, for it hadn't got any to signify.

"Ain't a little beauty?" says she. Well, I couldn't see as it was; but I didn't like to say so, for I knew my wife Polly had been rather reckoning on what she said we ought to have had more'n a year ago; so I didn't like to disappoint her for I knew she lay listenin' in the next room.

Polly always said there never was such a baby as that one; and somehow it was taking to see how her face used to light up all over with smiles when she thought I wasn't looking; and I knew it was all on account of the little 'un. She never said she felt dull now; and when at home of a night I used to think how my mates would laugh to see me a-handling the little thing that was alien being pushed into my face to kiss; when I'm blest if ever I see such a voracious fun in my life; it would hang on to you—nose, lip, anywhere—in a minute.

One day, when it was about nine months old, it was taken all of a sudden like with a fit. Polly screamed to me to run for the doctor; for it had happened that I was on the club that week, and at home with a bad hand. I run for him, and he soon came; and then there was a warm bath and medicine; but afterwards when I saw the little thing laying on Polly's lap so still and quiet with a dull film over its eyes, I felt that something was coming, tho' I dared not tell her; and about twelve o'clock the little thing suddenly started, stared wildly an instant, and then it was all over.

My hand wasn't bad any more that week; for it took all my time to try and cheer up my poor heart-broken lass. She did take on dreadful, night and day, till we buried it; and then she seemed to take quite a change, and begged of me to forgive what she called her selfishness, and wiped her eyes once for all, as she said, and talked about all being for the best. But she didn't know that I lay awake of a night, feeling her cry silently till the pillow was soaked with tears.

We buried the little one on Sunday, and on the Monday morning I was clapped on to a job that I didn't much relish, for it was the re-burking of a sewer that ran down one of the main streets, quite fifty feet underground.

After two years in London I'd seen some change, but this was my first visit to the bowels of the earth. I'd worked on drains down in the country, but not in such a concern as this; a life-guard might have walked down it easy; so that there was plenty of room to work. But then, mind you, it ain't pleasant work; there you go, down ladder after ladder, past gas pipes and water-pipes, and down and down, till you get to the stage stretched across the part that you are at work on, with the daylight so high up, as seen through boards and scaffolds and ladders, that it's no use to you who are working by the light of flaring gas. There in front of you is the dark, black arch; and there behind you is another; while under your feet the foul rushing water hurries along, sending up a smell as turns your silver watch, and every sixpence and shilling, you have in your pocket, black as the water that swirls bubbling along. Every word you speak sounds hollow and echoing, while it goes whispering and rumbling along the dark arch till you think it has gone, when all at once you hear it again quite plain in a way as would make you jump as much as when half a brick or a bit o' hard mortar dropped into the water.

But talk about jumping, nothing made me jump more than when a bit of soil, or a stone, was loosened up above, and came rattling down. I've seen more than one chap change color; and I know it's been from the thought that, suppose the earth caved in, where should we be? No doubt the first crash in would do it, and there'd be an end of workmen and foremen; but there seemed something werry awful in the idea o' being buried alive.

Big as the opening was, when I went to work, it made me shudder; there was the earth thrown out; there was the rope at the side; there was the boarding round; there it was for all the world like a big grave, same as I'd stood by on a little scale the day before; and, feeling a bit low-spirited, it almost seemed as though I was going in to my own, never to come up any more.

Werry stupid and foolish ideas, says you,—far-stretched ideas. Werry likely, but that's what I thought; and there are times when men has werry strange ideas; and I'll tell you for a fact that something struck me when I went down that hole as I shouldn't come up it again; and I didn't,

neither. Why, the werry feel o' the cold, damp place made you think o' being buried, and when a few bits of earth came and rattled down upon the stage above my head, as soon as the first stage was over, it seemed to me so like the rattling o' the earth, but a few hours before upon a little coffin, that something fell with a pat upon my bright trowel, which, if it had been left, would ha' been a spot o' rust.

Nothing like work to put a fellow to rights; and I soon found that I was feeling better, and the strokes of my trowel went ringing away down the sewer as I cut the bricks in half; and after a bit I almost felt inclined to whistle; but I didn't, for I kept on thinking of that solitary face at home—the face that always brightened up when I went back, and had made such a man of me as I felt I was, for it was enough to make any man vain to be thought so much of. And then I thought how dull she'd be o' looking at the drawer where all the little things were kept; and then I—well, I ain't ashamed of it, if I am a great hulking fellow—I took care that nobody saw what I was doing, while I had a look at a little bit of a shoe as I had in my pocket.

I didn't go home to dinner, for it was too far off; so I had my snack, and then went to it again directly along with two more, for we was on the piece. We had some beer sent down to us, and at it we went till it was time to leave off; and I must say as I was glad of it, and didn't much envy the fresh gang coming on to work all night, though it might just as well have been night with us. I was last down, and had just put my foot on the first round of the ladder, when I heard something falling as it hit and jarred the boards up and down; and then directly after what seemed to be a brick caught me on the head, and before I knew where I was, I was off the little platform, splash down in the cold rushing water that took me off and away yards upon yards before I got my head above it; and then I was so confused and half stunned that I let it go under again, and had been carried ever so far before, half drowned, I gained my legs and leaned, panting and blinded, up against the slant wall.

There I stood for at least ten minutes, I should suppose, shuddering and horrified, with the thick darkness all around, the slimy, muddy bricks against my hands, the cold, rushing water beneath me, and my mind in that confused state that for a few minutes longer I didn't know what I was going to do next, and wanted to persuade myself that it was all a dream, and I should wake up directly.

All at once, though, I gave a jump, and, instead o' being cold with the water dripping from me, I turned all hot and burning, and then again cold and shuddery; for I had felt something crawling upon my bare neck, when I gave the jump, and heard close by me a light splash in the water,—a splash that echoed through the hollow place, while, half to frighten the beasts that I fancied must be in swarms around me half wrong from me as a cry of fear and agony, I yelled out—

"Rats!"

Kats they were; for above the hollow "wash wash, hurry-hurry, wash wash, hurry-hurry," of the water, I could hear little splashes and a scuffling by me along the sides o' the brick work.

You may laugh at people's hair standing on end, but I know then that there was a creeping, tingling sensation in the roots o' mine, as though sand was trickling amongst it; a cloud seemed to come over my mind, and for a few moments I believe I was mad—mad with fear; and it was only by setting my teeth hard and clenching my fists that I kept from shrieking. However, I was soon better, and ready to laugh at myself as I recollected that I could only be a little way from the spot where the men worked; so I began to wade along with the water here about up to my middle. All at once I stopped, and thought about where I was at work.

"If I'd only did the water run?"

My head turned hot and my temples throbbed with the thought. If I went the wrong I should be lost—lost in this horrible darkness—to sink, at last, into the foul, black stream, to be drowned and devoured by the rats, or else to be choked by the foul gases that must be lurking down in these dark recesses.

I groped on for quite a quarter of an hour, when the thought came upon me that I was going wrong, and again I tried to lean up against the wall, which seemed to cause my feet to slip under me. I felt no cold, for the perspiration dropped from me, as I frantically turned back and tried to retrace my steps, guiding myself by running a hand against the wall where every now and then it entered the mouth of a small drain, when, so sure as I did, there was a scuffle and rush, and more than once I touched the cold slippery body of a rat—a touch that made me start back as though shot.

On I went, and on, and still no scaffold, and no gleam of daylight. Thought after thought gave fresh horror to my situation, as now I felt certain that in my frantic haste I had taken some wrong turn, or entered a branch of the main place; and at last, completely bewildered I rushed headlong on, stumbling and falling twice over, so that I was half choked in the black water. But it had its good effect; for it put a stop to my wild struggles, which must soon have ended in my falling insensible into what was certain death. The water cooled my head, and now, feeling completely lost, knowing that I must have been nearly two hours in the sewer, I made up my mind to follow the stream to its mouth in the Thames, where, if the tide was down, I could get from the mud on to the wharf or bank.

So once more I struggled on, following the stream slowly for what seemed for hours, till at last, raising my hand, I found I could not touch the roof; and by that I knew I was in a larger sewer, and therefore not very far from the mouth. But here there was a new terror creeping up me, so to speak, from my waist the water now reached my chest, and soon after my armpits; when I stopped, not daring to trust myself to swim, perhaps a mile, when I felt that weak I could not have gone a hundred yards.

I know in my disappointment I gave a howl like a wild beast, and turned again to have a hard fight to breast the rushing water, which nearly took me off my legs. But the fear of death lent me help, and I got on and on again till I felt myself in a turning which I soon knew was a smaller sewer, and from thence I reached another, where I had to stoop; but the water was shallower, not above my knees, and at last much less deep than that.

Here I knelt down to rest, and the position brought something else from my heart; and, after a while still stooping, I went on, till, having passed dozens upon dozens of drains, I determined to creep up one, and I did.

"Praps you won't think it strange, as I dream and groan in bed sometimes, when I tell you what followed.

I crawled on, and on, and on, in hopes that the place I was in would lead under one of the street-gratings, and I kept staring ahead in the hopes of catching a gleam of light till at last the place seemed so tight that I dared go no further, for fear of being fixed in. So I began to go back very slowly, and then, feeling it rather hard work, stopped for a rest.

It was quite dry here; but, scuffling on in front I kept hearing the rats I had driven before me; and now that I stopped and was quite still, half a dozen of them made a rush to get past me, and the little fight which followed even now gives me the horrors. I'd hardly room to move; but I killed one by squeezing him, when the others backed off, but not till my face was bitten and running with blood.

At last, half dead, I tried to back out, for the place seemed to stifle me; and I pushed myself back a little way, and then I was stopped, for the skirts of my jacket filled up what little space had been left, and I felt that I was wedged in, stuck fast.

Now came the horrors again worse than ever. The hot blood seemed to gush into my eyes; I felt half suffocated; and to add to my sufferings, a rat that felt itself, as it were, penned up, fastened upon my lip. It was its last bite, however, for, half mad as I was then, my teeth had closed in a moment upon the vicious beast, and it was dead.

I made one more struggle, but could not move, I was so completely used up; and then I fainted.

It must have been some time before I came to myself; but when I did, the first sound I heard was a regular tramp, tramp, of some one walking over my head, and then I gave a long yell for help, when, to my great joy, the step halted, and I shouted again, and the sweetest sound I ever heard in my life came back. It was a voice shouting:

"Hullo!"

a grating which was an end of the drain, and the close quarters made the rats so fierce. The policeman had heard my shriek, and had listened at the grating, and then got help; but he was only laughed at, for they could get no further answer out of me. It was then about half-past three on a summer's morning; and though the grate was got open, they were about to give it up saying the policeman had been humbugged, when a couple of sweeps came up and the little 'un offered to go down backwards, and he did, and came out directly after, saying that he could feel a man's head with his toes.

That policeman has had many a glass at my expense since, and I hope he'll have a many more; and when he tells me the story, which I like to hear—but always take care shall be when Folly's away—he says he knows I should have liked to see how they tore up that drain in no time. To which there's always such an echo in my heart, that it comes quite natural to say: "You're right, my boy!"

A few facts in Natural History.

The geographical distribution of animals forms one of the most interesting fields of study for the naturalist. He finds that certain degrees of temperature restrict a group of animals within certain limits as completely as would a Mountain Range, or an open sea. It is a well known fact that the polar regions sustain a class of animals entirely unlike those found in the tropics. It is rare to find one that can survive high and low degrees of temperature, though instances are known as in the South American condor, which at one time may be seen soaring far above the region of perpetual snow, and then swooping down to the parched sands of the beach. It has been shown that the coral builder can only thrive in water, the temperature of which averages 68 deg. the year through. In the distribution of plants the same restriction of forms occur within certain degrees of temperature. In speaking of such a group we use the term *fauna*, and in the same sense the term *flora* is used for a similar group of animals. In this restriction of plants to certain degrees of temperature, Prof. Agassiz has called attention to the fact that a range of plants extending from the tropics to the poles, can also be seen on the slopes of the Andes. For example: we have in the tropics the palms and mangroves and similar trees, farther north we have the oak, beech and maple, still nearer the poles, the wilderness of pines and spruce, hemlock and fir; and then as we approach the region of perpetual snow the lichens and mosses thrive; and finally all plant life ceases and perpetual snow is found. Now were we to ascend a single high mountain in the tropics we should meet with similar changes in the vegetation. At its base we should find the luxuriant tropical foliage, as we ascend this would disappear and the walnut and like trees would be found, and as we neared the apex we should pass in succession pines, etc., lichens and mosses, and finally reach perpetual snow. Even our own Mt. Washington presents similar features. A flourishing hard wood growth at its base, then pine and spruce, and finally the exposed rock protected only by lichens. Our scouder, an eminent entomologist of Boston, has found a species of butterfly peculiar to the apex of Mt. Washington. This species is a native of Hudson Bay Territory and is found in no other region except this little isolated spot on Mt. Washington. Our country people are acquainted with similar ranges of plants, we have the mountain cranberry, and blueberry. Certain grasses and flowers are found on the uplands which differ from those found in the meadows. Prof. Verrill has noticed the fact that where we have the temperature averaging a certain degree for the three months of May, June and July, we believe, that within this line we have a limit marked for our birds. This temperature being necessary in the incubation of their eggs.

Gov. Brownlow of Tenn. in an article in his paper says: "Our mind is made up—we are with the Union party in Congress, and with them we intend to sink or swim. The people are also with them, and for the country, and against its enemies and the men who refused to vote men and money to carry on the war. This latter class are men most loud in their praise of the President, laboring day and night to create a split between him and the party that elected him and saved the country."

THE POWER OF SONG. There is a pretty story of a little boy who picked up a stone to throw at a bobolink, but dropped his hand and let the missile fall as the tiny creature opened its mouth and began to warble; and when a gentleman who saw the whole, asked him why he did not throw and kill the bird, he replied: "Cos, he sung so, I couldn't."

Gov. Morton, of Indiana, arrived at New York from Paris on the 7th. He is suffering from paralysis.

It seems I had got within a few yards of

Virtue on a Freshet.

Rev. Henry Ward Beecher in a late sermon gave a "dig" at virtue indignant, thus: "But by and by some prominent man happens—no one can tell how—to do wrong. The public mind is just in such a state that it is like putting fire to gun-powder in the community. Bang! goes society from one end to the other. Has anything unusual happened? There has not been a month nor a week for a whole year in which there has not been some astounding crime committed; but somebody or other has had the luck to put the spark to this prepared state of public mind, and there is a paroxysm of moral horror. Now we are going to avenge ourselves for being lenient. We are going to hate evil; and how we hate it! And we run about to spread the news and asking of all that we meet 'Have you heard?' And everybody is telling everybody. And everybody's eyes are twice as large as usual; and everybody's ears are twice as wide open. O, how intolerable virtue is when it has a freshet! How it tears everything, and inundates everything! And then we be to the man that has been going wrong for ten years, doing this a little and that a little but that now, unfortunately, is like a lightning-rod that many a thunder-storm has swept around without hitting, but by and by is hit, and wonders what has taken place that it is hit now, after having been safe for years. Well, you must find your own theory for that. But there is no doubt every once in a while there is a paroxysm of virtue in the community that seeks a victim, and that, once having got him, rolls him down the stairs like a foot-ball with a thousand feet behind it, every man kicking it that has any kick in him, with no thought but that everybody must keep up with his neighbor. Every man's conscience is turned into a spear or a sword, and everybody is after the culprit, it may be. Very likely he is a culprit, deserving condemnation; but that does not account for this torrent, this whirlwind of feeling—especially in men that have looked with the utmost serenity upon just such things for years and years, without the thought of any particular indignation.

KNAVE. The original meaning of this word is offspring, then boy or youth, then servant, and finally a rogue. In some early translations of the Bible, Paul is called the knave of Christ. Nave comes from navis, a ship, and means the middle or the body of the church extending from the choir or chancel, (or in many churches, the pulpit,) to the principal entrance. In old English the choir and the chancel mean the same.

"Why, Bill, what is the matter with you? You look down in the mouth." "Well, Pete, I guess if you had been through what I have you'd look bad too." "What's the matter?" "You know Sarah Snivels, don't you, Pete?" "Yes." "Well, I discarded her last night." "What for?" "She said she wouldn't marry me, and I'd discard any gal that would treat me is that way."

A young lady of Seymour, Indiana, became warmly attached to a young man—her love was not returned. She procured a preparation called "love powders," and mixed them with the young man's food. He poisoned and nearly killed him, and he is going to bring suit against the young lady for damages.

A bit of a paradox. When a shoemaker is going to make a boot, the first thing he uses is the last.

The character of an upright man is like a pair of boots. The more you black it the more it shines.

The idle should not be classed among the living; they are a sort of dead men not fit to be buried.

"A man who'll maliciously set fire to a barn," said Mr. Slow, "and burn up twenty cows, ought to be kicked to death by a jackass, and I'd like to do it."

A Western chap, in describing a gale of wind, says, "a white dog while attempting to weather the gale, was caught with mouth wide open, and turned completely inside out."

PERSONAL. The French "Prince Imperial" has got the measles! On account of the high social and political position of the victim the measles considerably made only "a mild attack."

John Minor Botts is out in a letter declaring that there is a wide-spread conspiracy among the rebel leaders to involve the country in a foreign war, and then, when opportunity should offer to take sides with the enemy.

A profound observer remarks: "I have often observed at public entertainments, that, when there is anything to be seen, everybody immediately stands up and effectually prevents anybody from seeing anything."

The St. Louis News mentions a former New Orleans District Judge, now acting as a paper carrier in that city.

Senators and Representatives from the Rebel States.

When shall they be admitted to seats in Congress? Never, until the people of those States send loyal men, who can take the test oath honestly, without mental reservation. We hope Congress will set until Gabriel's trumpet shall sound before they even admit a single man into either branch who had any agency in bringing about, or carrying on the war of the rebellion. The policy of admitting the rebel leaders into Congress, come from whatever source it may, is a proposition reeking all over with treason. It is an insult to God and humanity, and deserves the scorn and contempt of every loyal man in the country, white or black. What? Permit the blood-thirsty, traitorous wretches, who butchered thirty thousand brave men by cruelty and starvation in rebel prisons, who murdered in cold blood thousands of men in the South, young and old, grey haired veterans and innocent boys; who burned houses over the heads of defenceless women and children, and after brutal outrages upon their persons, drove them into the swamps and mountains to perish, all because they stood by the old flag? Admit these demons in human shape? Let the hand that is raised to do it be palsied and the tongue that utters even a feeble yea, cleave to the roof of the mouth of the traitor who utters it. The people have not forgotten that Andrew Johnson said since he became accidentally President, that "Treason was a crime and ought to be punished." And now because he desires to thrust these unwashed, atrocious villains into Congress, they should not succumb to such audacious dictation. We might just as well have settled the war by agreeing to abolish and banish our own Congress and there install in the Capitol the rebel Congress from Richmond, as to admit now, the Representatives and Senators, elected in the rebel States to join the copperheads in these branches and make a majority to rule this nation, with Andrew Johnson in the Presidential chair. Congress, then, is the only barrier between a loyal government and a rebel government for the people of the North. That is a plain proposition, who can controvert it?

Veto of the Civil Rights Bill.

The reasonings and arguments, if arguments they can be called, in this veto message put at rest all speculation as to where the President stands in relation to the status of the Freedmen. He argues out at length what he has heretofore more than intimated that the freedmen should not be placed on an equal footing with the whites in regard to civil rights, but be left in a condition subordinate to their old masters, and subject to be reduced to the most degrading servitude, to a condition even worse than they were in before they were emancipated. This is "My plan," my policy," which has echoed and re-echoed from the walls of the White House until it has become more stale than a last year's Almanac. This shuts out all hope of a reconciliation between the President and Congress upon the questions before the latter relating to the future condition of the colored men. It is said that for days before the appearance of the veto, the President had closeted with him a coterie of copperhead Lawyers, employed to hunt up arguments to be embodied in that disgraceful document.

Be that as it may, the veto message is little else but a re-hash of the copperhead slang that has graced the papers of that party for years, dignified with the signature of Andrew Johnson. Carry into operation the so-called reasonings of that document and you surrender at once every thing for which we have been contending through the whole war; you re-assert slavery in a much more objectionable form than existed before the war; you crush the brave men that saved the nation's life in the hour of its greatest peril; you throw them bound hand and foot into the den of the hyenas that lapped up the blood of our fathers, brothers and sons during the four years of the rebellion. The "war of races" would be inaugurated when the braggart "Moses" of the white house would lead them not to the land of promise, but back to the condition of a degrading inferiority and servitude. Such is the plain logic of the veto and let him that readeth understand.

NOTE WOUNDS. The appeals of Andrew J. Hamilton, Provisional Governor of Texas, to the members of the convention of that State now in session, urging them to accept the results of the war in good faith and change the fundamental law of Texas so as to meet these results, deserves to be scattered broadcast over the country and to be read and pondered well by every citizen. The words are like apples of gold in pictures of silver.

"In my judgment, gentlemen, it is the part of wisdom to provide in the organic law of the State that the freedmen in our midst shall enjoy civil rights on an equality with the white population of the State. More than this, I believe it would be unwise to exclude the freedmen in our midst from the exercise of political privileges, by making the enjoyment of those privileges depend upon the accident of birth or color."

The Monitor now on the voyage to California is attracting great attention in the South American ports where she calls for supplies. The people style the United States "The Grand Republic."

The Proclamation.

We give the substance of the proclamation of the President announcing the closing of the rebellion. As a mere matter of fact, it is probable there is not an organized rebel force in the Southern States. It is also equally true that so far as friendly disposition to the National government is concerned, there is less of it to-day than one year ago. Officers testify that the people are all affability, so long as they command a department. Go there after muster-out, in citizens' dress, for business purposes, and it is quite a different thing. The boys who come home have seen something of the true state of affairs; and energetically express the opinion that it will be a warm place for a Yankee to live, when the army is withdrawn. In truth a Northern man cannot traverse a Southern State so safely now as he could before the war. Such being the case, the falsity of the proclamation is apparent. It is most unfortunate that it is thrust forward at just this time, when it must seem to be almost a menace towards Congress. Precisely what course the executive means to pursue is not apparent. Even if he could by his paper edicts prove these States entitled to representation, Congress has yet the power to judge of the qualifications of its Members, and a representation cannot be forced; and that this body may not be influenced by it is to be seen in the case of Tennessee, where the war was declared closed last June. The people will wait with feverish interest the developments of the next few weeks; and in the midst of all will wonder that the accidental elevation of men to power, must necessarily turn their heads.

Oxford County Rumellers.

The vendors of intoxicating drinks in Oxford received a very fair share of attention from the Grand Jury at the last term of the Court. It so happened that a goodly number of them had their cases attended to, as appears by the comparatively large number of indictments on the Docket. For some reason or other, they did not seem to think much of the last dodge invented by their fraternity, of removing their cases to the United States Court. Only one of their number sought a hiding place under a United States License in the U. S. Court, and he will find in the end that it will not pay, for the full Court at Washington have unanimously decided that the government license is no protection as against a State law. Nearly all indicted for selling intoxicating drinks contrary to law, take the wisest course by going into court and voluntarily paying up, both fine and cost. This is not only true of Oxford County, but it is so all over the State. Jurors in by gone years in too many cases were willing to violate their oaths and allow their deep rooted prejudices to control their better judgment when deciding upon the cases of rum sellers. Formerly this class of criminals had a great deal more sympathy from the community, than they get now. Once, it was hard work to convict them, but it is not so now. Give the prosecuting Attorney the evidence and they stand no better chance than other arraigned violators of law. The people at the present day need no argument addressed to their understanding to convince them that rum selling is one of the most heinous crimes in the criminal calendar; they know their obligations to themselves, to their families, and to community too well, not to feel that the grog shops and tipping houses are nuisances that should be immediately abated. It is the duty of all good citizens to close up the grog shops, give them the law, for that is all that will cure them, make no distinction between the high and the low, between the fashionable hotel and the Irish shanty. Whenever the arch enemy of all good is found there, strike for humanity and your country.

The Connecticut Election.

The exciting canvas was closed on Monday, in a way that shows the efficiency with which the Republican party has labored. The result shows the election of Gen. Hawley for Governor, by about 500 majority; and majority of about 40 on joint ballot in the Legislature. This secures the election of an Union Senator in place of Senator Foster. A more gratifying thing could hardly have occurred at this time, when the President is using all his immense power to break down the Union sentiment of the country and to throw the balance of power again into the hands of the leaders of the rebellion. Good may yet result in such proofs that the people are not to be drawn from the path of duty they have chosen to occupy.

Some thirteen banks and banking houses in Pennsylvania, failed last week. Among these was the house, of which the manager of the Reno Oil Company, was a partner. As a consequence this company stops, as do the banks. Notwithstanding this we see some virtuous papers in this State point to this oil company as an evidence of the baseless character of such enterprises. The oil company went down from the same cause that the banks failed, so that if this argument proves anything it proves that the oil company was as sound as the banks, but no one has pointed to this as evidence of the baseless character of the banking system. The most that any subscriber to the Reno company can lose is the five dollars paid to the working capital. The money being in the hands of Trustees can be withdrawn at pleasure.

The gunboat Miantonomah has been detached to protect the fishing vessels this season.

Oxford Items.

Francis Hobbs has sold his Store and Goods to Newell Tarbox. The building contains a spacious room below for the sale of goods, while the second story is finished into convenient rooms for a dwelling.

Gilman Faunce has purchased of John J. Perry, one of his large double houses, standing near the old Cotton Mill site.

A movement is on foot to establish a Telegraph office at Craig's Mills village. The managers of the Grand Trunk Road have thus far refused to connect such an office with the Oxford Depot. If an office is opened, it will be the result of private enterprise.

The question of putting a small steamer upon Thompson's Lake, the ensuing summer is being agitated. Such an enterprise would undoubtedly be largely patronized, both at home and from abroad. The lake is about twelve miles long and abounds in beautiful scenery and fishing grounds.

Hon. A. C. Denison of Mechanic Falls, has purchased of B. F. King & Co., one half of their excellent water power at Welchville, upon which we are informed he intends erecting a Paper Mill. It is an available privilege in dry times, the dam not only receiving the water that passes the Oxford Woolen Mills, but flows both the Hogan ponds.

B. F. King and Maj. W. S. Dodge, intend erecting upon the same privilege a new Grist Mill, a convenience that is greatly needed by the inhabitants of Oxford.

Benajah Pratt, Jr., has sold his valuable homestead near the Depot to John Dunn, of Yarmouth, and Wm. W. Oliver has sold his farm to Joseph Lovejoy of Norway.

A Lodge of Good Templars was organized in this village last week, and among its members are some of our best citizens.

THE GREAT BOND ROBBERY. The persons who committed the great bond robbery in New York, have been discovered. The securities, amounting to \$1,500,000 have been recovered, as we understand from the reports, by a process now become quite fashionable. The rascals drive a trade with the principals, through the detectives, and go scot free, with a good portion of the spoils. This robbery was a bold one. Mr. Lord was an aged man, and in the habit of sitting in his office back to his safe, which he left open. One of the rogues engaged him in conversation, while three others helped themselves to the cash and walked off with it. The Boston Journal says the robbery was known to the Boston police, before the owner knew his funds were gone.

Green, the Malden murderer, has had an interview with two citizens of the town, in which he confesses the murder of the bank clerk. He says he was much harassed by debt; but did not premeditate the act. Going to the bank in the morning he found only one clerk there, and an abundance of money in sight. It was the work of but an instant to plan how the money could be obtained, and but a short time elapsed before the terrible deed was done. The warrant for his execution has been signed and is in the hands of the officer.

SENATOR FOOT. The remains of Senator Foot reached Rutland Saturday. Senator Doolittle was charged with the duty of delivering the body to the committee of citizens. It was the wish of the Senator to be buried in Rutland. The coffin was placed beneath a canopy in the center of the Court Room. The room was thrown open to the public on Monday, and the funeral exercises were held on Tuesday. The mourning of the citizens is earnest, deep and general. Vermont has lost two Senators within a year.

THE SUFFRAGE AND AMNESTY PLAN. Henry S. Foot has written a second letter to the New York World in favor of Senator Stewart's scheme of universal amnesty and universal suffrage. He takes the ground that Congress will not admit southern senators and representatives until suffrage is extended to the negroes, that the majority for universal suffrage will be greater in the next Congress than in the present one and that the southern states had better establish it voluntarily for themselves than have it thrust upon by the general government. Mr. Foot professes to believe that the South will accept Mr. Stewart's plan, if it is offered, and will do it immediately.

FRANK LESLIE'S LADIES' MAGAZINE for April is attractive as usual. The ladies will find provided, fashions and literature in profusion, to guide in the spring outfit and to occupy the spare moments as they stroll. The Evening Post has visited Mr. Leslie's establishment in New York, and finds it to be the largest and best appointed in the country. Everything is arranged for conducting the business successfully under his immediate supervision. He has lately commenced to manufacture ink for wood-cut printing, and succeeds in producing an article, hitherto difficult to find, that will do satisfactory work. Mr. Leslie now publishes eight illustrated periodicals. The Ladies' Magazine, Leslie's Weekly, Chimney Corner, New Monthly, Children's Friend, Budget of Fun, and a German and a Spanish journal. The Chimney Corner has a publication office in Chicago, where the edition for the West is printed from duplicate plates.

THE OATH. Mr. Sumner has introduced a resolve inquiring what officers in the Southern States have not taken the test oath. It passed 25 to 8. The Senate mean to see how faithfully the President is administering the laws.

Senator Foot's Last Hours.

In the funeral oration pronounced by the Rev. Mr. Sunderland, we find the following affecting passages:

Some one inquiring if he did not feel great exhaustion and bodily distress, he replied, "Not much distress. This I consider one of my comfortable days." Then turning, he saw Mrs. Foot weeping at the foot of the bed, with Mrs. Browning at her side. This seemed to pain him most deeply, and he said, pointing to his wife, "There is my great grief. My beloved wife! To part from her is like tearing the silver cord asunder." On being approached by these ladies, Mrs. Browning remarked that they had been permitted to enjoy each other's society long on earth, and they indulged the hope that this society would be resumed again in Heaven. "Oh, yes," he answered, "we have been a family long held together, and memory is full of tender visions of the past. God grant they may be renewed in another and better world."

At this time Senator Fessenden approached him, to whom he cordially stretched out his hand and said, "My dear friend Fessenden, the man by whose side I have sat so long, who I have remarked as the model of a statesman and parliamentary leader, on whom I have leaned, and to whom I have looked more than to any other living man for guidance in public affairs, the grief I feel is that the silver cord which has so long bound us together must now be severed. But, my dear Fessenden, if there is memory after death, that memory will be active, and I shall call to mind the whole of our intercourse on earth." The Senator thus addressed, too much affected to reply in words, stooped over and kissed the brow of his dying friend, and turned away in silence. Toward evening, when it was intimated that the senator had returned to inquire after him, and he was asked if he desired to see him, his reply was prompt, "Always, always." With hands clasped they remained for some time, the endeared senator repeating his grateful sense of the friendship so long existing between them, and being in turn assured of its valued estimation by his friends. Some one observing that though parted for awhile on earth, they might have hope of a reunion, in the spirit world hereafter: "Oh, yes," he exclaimed with great emphasis, "I believe in God and the life eternal," and finally, in a tone of affecting tenderness, he bade his friends farewell, saying, "Good-bye, and may God bless you evermore."

THE REVENUE COMMISSION AND THE TARIFF. The report of the Revenue Commission on the subject of excessive importations is published. It gives statistics showing that five times as many packages of goods were imported into New York in the first six weeks of 1866 as in the same period of 1865. The imports of January and February were over thirty-two and a half millions. To prevent a panic the Commission recommend the passage by Congress of a resolution increasing the duties on imports 20 per cent. for ninety days, with the single exception of printing paper unaltered, used for books and newspapers exclusively.

THE EVENING POST AND THE LAST VETO. The New York Evening Post, which is in no sense a partisan paper, and which has been trying to see its way clear to a hearty support of what is called the "President's policy," comes out square against the positions of the second veto message, and expresses the hope that Congress will pass the bill by the requisite two-thirds vote. This fact is all the more significant, as the Post was disposed to admit the force of some of Mr. Johnson's objections to the Freedmen's Bureau bill. But the disgust inspired by the speech of the 22d of February, and the hostility to any measure of justice to the freedmen which reveals itself in the latest veto message, have been too much for a paper so honestly devoted to the cause of freedom and humanity as the Post.

Gen. Howard has issued a Circular setting forth the fact that all the able-bodied freedmen have been provided with situations, and the aged and infirm with houses. All rations are to be cut off hereafter, and this class will be obliged to gain a living by their own exertions. Though this may cause some hardships at first it is believed to be the best for them in the end.

Mrs. Jeff. Davis is journeying to Washington. She visited the Louisiana House of Representatives recently, and was invited within the bar "where all who had the honor of her acquaintance paid their respects in such a manner as to show their sympathy for the afflicted family."

THE EMANCIPATION PROCLAMATION. An apology is due Messrs. J. Hankerson & Co., Portland, for delay in acknowledging the receipt of a copy of this fine engraving. The scene represented is the reading of President Lincoln's Emancipation Proclamation, by a federal soldier, to a group of slaves in a negro hotel. The engraving is very fine, and depicts with spirit a touching scene.

It is thought that Congress can pass the Civil Rights bill over the veto. The President evidently prepared for this has announced that he is not required to enforce a law that he thinks is unconstitutional. He complained recently that Congress had put the matter of reconstruction into the hands of fillets, yet claims that no power shall interfere with his one man power.

The Bangor Whig understands that a foot of snow fell in the vicinity of Monson on Thursday.

SIDE WALKS. This is a favorable time to discuss understandingly, the long talked of plan of laying side-walks along the principal streets of this village. A durable and substantial walk could be laid probably for a little less than one dollar per rod. It requires no argument at this time, to show the advantages of such a walk, but it is said it will be needed only for a small portion of the year. Let the walk be laid and it will be found to be nearly as pleasant to be kept out of the dust and dew of summer, as above the mud in other seasons. It is not to be supposed that a ball can be rolled through the streets in their present condition, but agitation may put them in better shape during the season.

Some seven years ago, we described the appearance of a boy in Brownfield, Walter H. Stewart, who had neither legs nor arms. We now learn that he can feed himself without assistance, besides performing many acts that can be scarcely credited. He has two short stumps of legs, and goes quite rapidly by tipping from the end of one to the other. The stumps of arms have a part of an elbow joint, doubling far enough to shut up. Curiously enough, these tips have nails. He can write and sew passably. The boy has always enjoyed robust health. The deformity is congenital.

The Norway Savings Bank commenced operations on Wednesday. This is a capital institution for those who have small sums at command, which they wish to keep safely. The little folks can study the business to advantage, a small deposit, with a constantly adding interest, giving one of the most practical illustrations on prudence to be found. Lee Mixer, Esq., is Treasurer, and will receive deposits every Wednesday afternoon.

SACRILEGE. A gentleman states to us, that considerable annoyance has been occasioned within the past year, by the hardihood of some persons who have made it a practice to visit the village cemetery, and wantonly destroy shrubbery, that has been planted about some of the graves. It seems strange that individuals should be willing to commit such sacrilegious acts, yet it may be well for such to understand that they are known, and that if self-respect does not prevent a repetition of the act the civil law provides a remedy that will not fail to be applied.

SOLDIERS' MEMORIAL. Mr. J. C. Andrews of Woodstock, last July, obtained a patent for a design for a soldier's memorial. It consists of an oval convex plate, on which is embossed an eagle, with the flag and shield, entwined with Laurel and Oak. In the centre an opening shows a fine portrait of Lincoln, beneath which is engraved the date of his birth, inauguration, assassination and death.

The storm of last week extended over the whole State. There was a heavy fall of snow in this County, Franklin, Somerset and farther East, while at Lewiston and Bangor heavy rains are reported. In Hancock there was a severe frost. The rain of Saturday night with the hot sun this week has carried off nearly all the snow, and we revel in mud, as deep as the most venturesome care to encounter.

SALE OF STOCK. Mr. Clinton Howe, of Sumner, has lately sold to the City Farm, Portland, his full-blooded yearling bull, Duke 24. This animal was sired by Duke, out of Pocahontas by Comet, Prince, by Dictator, imported. Mr. Howe's Darhams are from the stock of Mr. Thorne, of New York, who has recently sold at a high figure a herd to go to Europe.

Mr. Morse's third lecture on Natural History will occur next Saturday evening, April 7. The fourth and last lecture will be delivered on Wednesday evening April 11. As these lectures progress, the interest increases, as was testified by the large and appreciative audience present, Wednesday evening.

Mr. B. F. Twitchell is foremost as usual in giving us a taste of maple syrup, this season. He brings to market a capital article, the result of his skill in boiling and refining. The season thus far, is not favorable, and but little sap has been gathered in this section.

The robins made their appearance last week. Somebody says the lively carols are their love-songs, and this ceases when the sober business of nest-making and bringing up a family have been undertaken.

We learn that Edward L. Farris, Esq., of this village, has commenced the practice of his profession, in company with another party, in Nassau Street, New York.

The Postmaster-General has ordered the appointment of Isaac A. Ellis, postmaster at Canton Point, in place of C. C. Ellis, resigned.

THE PUBLIC DEBT. Secretary McCulloch's monthly statement of the public debt shows that it was, on the 1st inst., less the coin and currency in the Treasury, \$2,705,745,516. This exhibits a decrease of only \$750,62 since the statement published on the 1st of March, and an increase of coin and currency in the Treasury since this of \$6,128,421.

Major Charles W. Lowell, 80th U. S. Colored Infantry, having been appointed Judge of the Probate Court, Parish of Orleans, Louisiana, is relieved from duty as Provost Marshal General of the Department of Louisiana.

MAINE ITEMS.

Some scamps broke into the station at Yarmouth, last week, and stole a quantity of railroad tickets.

The Supreme Court has been in session at Houlton for five weeks. It seems that if the dockets are not cleared the fault lies with the attorneys and not with the Court.

The Portland Transcript says that eleven first class steamers, controlled almost wholly by Portland capital, run regularly from that port, coastwise.

Rev. J. Colby (Methodist) writes to the Zion's Herald that nearly all the charges on the Gardiner District are enjoying more or less of revival influence.

The ice passed out of the Penobscot on Sunday.

An unusually large amount of lumber has been cut on the headwaters of the Penobscot, so that Bangor people anticipate a busy season.

It is expected the E. & N. A. railroad will be commenced shortly, on this end of the route.

The evening dispatches, Wednesday, mentioned the sailing of several vessels, which rumor says are Fenian war vessels. Not much Fenian, probably.

The Mirror states that Henry S. Edwards, the music teacher, is about to remove from the State.

The Mayor of Lewiston says the Maine law will be enforced, among other preventive measures against cholera. The "wet damnation" of the grog shops is the firm ally of the disease.

The ice in the Kennebec broke up on Sunday, and the river is now clear. There will be lively times steamboating on the river this season.

The Saco Democrat says on Saturday last, as Mr. Ebenezer Hill, of Biddeford, was on his way to work he dropped dead. He was about 60 years of age.

The Portland papers report the decease of Dr. Charles W. Thomas, of that city, who died Wednesday evening.

Yarmouth has two flour and grist mills, two paper mills, two tanneries, a cotton factory, a saw mill and a pottery. It is soon to have a hat factory.

Four men have been arrested for getting up a lottery in the town of Lincolnville. They were bound over to appear at the Supreme Court for trial.

Moses Woodman, of Saco, who was injured on the M. C. R. R. on Wednesday of last week, died on Sunday last at Kendall's Mills.

Rev. Walter E. Darling was installed pastor of the Union Church in Kennebunk on the 20th inst.

Lovell Items.

Mrs. Malinda, wife of Mr. Russell Charles, died in Chatham, N. H., March 25th, of heart disease, aged nearly 65 years.

But very little has been accomplished in this part of the county in the sugar business until April dawned upon us, but now the people are doing their collecting and boiling down with a will.

We called our sleighing passably good until this week. Monday and Tuesday's sun has driven us to wheels.

W. F. Garcelon, Esq., agent of the New York Life Insurance Company, recently paid the widow of the late Dr. L. C. Childs of Mechanic Falls \$600, the amount for which the deceased had his life insured, a few months before his death. He had paid but \$11 to secure his policy.

(Lewiston Journal.)

An unmistakable case of cholera, is reported at Mobile. At Columbus, Ga., the authorities have stopped the evening meetings to avoid spreading the small pox.

The vote on the Civil Rights bill has been postponed, for the return of Senators who attended the remains of Senator Foot to Vermont. The bill will probably be enacted, in spite of the veto.

Rev. Mr. Walton, pastor of the third Congregational church in Portland, has tendered his resignation, to take effect the last Sunday in April.

The Press learns that a third train is soon to be placed on the road from Portland to Boston, leaving at 6 or 6 1/2 o'clock. This will be a great convenience to people in this region, for obvious reasons.

Another tremendous fire is reported in the oil regions of Pennsylvania. The fire took near Petroleum Centre, and destroyed 25,000 barrels of oil and \$125,000 of other property.

The Governor of Vermont has appointed George F. Edwards of Burlington, U. S. Senator, to fill the vacancy occasioned by the death of Senator Foot.

The rebels put Johnson's defection tersely, in saying "Andy Johnson has thanked the Yankees. 'We'll be all right yet!'"

The President has ordered that no more official advertisements be given to Mr. Forney's paper in Washington, the Chronicle.

The Canadian forces called out to fight the Fenians were discharged last week; but were summoned again the same day. The public is not informed what enemy is now feared.

The Overseers of the Poor have contracted with Mr. Solon Royal, to superintend the town farm, the ensuing year.

Oxford Democrat, - - Extra.

PUBLIC LAWS OF THE STATE OF MAINE.

PASSED BY THE FORTY-FIFTH LEGISLATURE, A. D. 1866.

Chapter 1.

AN ACT to further continue in force the provisions of chapter seventy-one of the laws of eighteen hundred and sixty-two, concerning spurious payments.

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

SECTION 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 January, eighteen hundred and sixty-seven, 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 be in force from and after its approval by the governor.

[Approved January 16, 1866.]

Chapter 2.

AN ACT to increase the salary of the judge of probate for the county of Hancock.

Be it enacted, &c.

From and after the first day of January, eighteen hundred and sixty-six, the salary of the judge of probate for the county of Hancock shall be five hundred dollars, instead of the sum now allowed by law.

[Approved February 2, 1866.]

Chapter 3.

AN ACT to amend section three of chapter thirty-nine of the Revised Statutes relating to lime and lime casks.

Be it enacted, &c.

SECTION 1. Section three of chapter thirty-nine of the Revised Statutes is hereby amended by striking out the word "ten" in the fifth line and inserting in its stead the word "eight," and by striking out the words "not more than four of which shall be allowed," in the fifth and sixth lines, and inserting in their stead the words "all of which hoops shall be of oak, ash, beech, birch, maple, cherry or elm-wood," so that the section as amended shall read as follows:

"No lime manufactured in this state shall be sold, exposed to sale, or shipped on board any vessel in casks, but such as is well burnt and pure; contained in casks made of sound and seasoned staves and heading well fired on the inside, with at least eight good and strong hoops on each, all of which hoops shall be of oak, ash, beech, birch, maple, cherry or elm wood, well driven and secured with nails and duly inspected;" and the residue of the section as in the published edition.

SECT. 2. This act shall take effect when approved by the governor.

[Approved February 2, 1866.]

Chapter 4.

AN ACT to increase the salary of the county attorney for the county of Kennebec.

Be it enacted, &c.

SECTION 1. The salary of the county attorney for the county of Kennebec is hereby established at five hundred dollars per annum, payable quarterly, as heretofore, instead of the salary now provided by law for said attorney, which said salary shall be in full for all official services.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

[Approved February 3, 1866.]

Chapter 5.

AN ACT to increase the salaries of the judge and register of probate for the county of Kennebec.

Be it enacted, &c.

SECTION 1. The salaries of the judge and register of probate for the county of Kennebec shall be established as follows: the salary of the judge at six hundred dollars per annum, and the salary of the register at nine hundred dollars per annum, payable quarterly as heretofore, instead of the salaries now provided by law for said judge and register, which said salaries shall be in full for all official services.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

[Approved February 3, 1866.]

Chapter 6.

AN ACT in relation to the rules of evidence in addition to "An Act to amend section eighty-three of chapter eighty-two of the Revised Statutes relating to proceedings in court," approved March fifteenth, eighteen hundred and sixty-two.

Be it enacted, &c.

SECTION 1. In all actions in which an executor, administrator or other legal representative of a deceased person is a party, such executor, administrator or representative party may offer himself as a witness and testify to any facts legally admissible upon the general rules of evidence happening before the death of the testator, intestate or deceased person, and when such executor, administrator or representative party so offers himself and testifies, the adverse party shall neither be excluded or excused from testifying in reference to such facts.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

[Approved February 6, 1866.]

Chapter 7.

AN ACT to increase the salaries of the judge and register of probate for the county of Oxford.

Be it enacted, &c.

SECTION 1. The salaries of the judge of probate and register of probate for the county of Oxford are established as follows: the salary of the judge of probate at four hundred dollars per annum, and the salary of the register of probate at six hundred dollars per annum, payable quarterly, as heretofore, instead of the salaries now provided by law for said officers; and said salaries shall be in full for all official services.

SECT. 2. All acts and parts of acts inconsistent with this act are repealed.

[Approved February 6, 1866.]

Chapter 8.

AN ACT relating to appeals in probate courts.

Be it enacted, &c.

The bond required by law in cases of appeal in courts of probate, may be given to the adverse party, or to the judge of probate, for the benefit of the adverse party.

[Approved February 6, 1866.]

Chapter 9.

AN ACT to increase the salary of the register of probate for the county of Washington.

Be it enacted, &c.

SECTION 1. That the salary of the register of probate for the county of Washington shall be five hundred dollars, instead of four hundred and fifty dollars, as now provided.

SECT. 2. This act shall take effect on and after its approval by the governor.

[Approved February 10, 1866.]

Chapter 10.

AN ACT for the prevention of the unauthorized use of trade marks and names.

Be it enacted, &c.

SECTION 1. When a person uses any peculiar name, letters, marks, device or figures, cut, stamped, cast or engraved upon, or in any manner attached to or connected with any article manufactured or sold by him to designate it as an article of a peculiar kind, character or quality, or as manufactured by him, no other person without his consent shall use the same or any similar names, letters, marks, device or figures, for the purpose of falsely representing any articles to have been manufactured by, or to be of the same kind, character or quality, as that manufactured or sold by the person rightfully using such name, letters, mark, device or figure.

SECT. 2. Whoever violates the provisions of the preceding section, or knowingly sells, or exposes for sale, any article having any name, letters, mark, device or figure attached to or connected with it, in violation of the preceding section, shall be liable to any party aggrieved thereby for all damages actually incurred, to be recovered in an action of tort.

SECT. 3. No person carrying on business in this state shall assume or continue to use in his business the name or names of any persons formerly connected with him in partnership,

or of any other person, either alone or in connection with his own or any other name or designation which has been used as aforesaid, without the consent in writing of such person or his legal representative.

SEC. 4. The supreme judicial court may restrain by injunction any use of trade marks or names in violation of the provisions of this act.

[Approved February 10, 1906.]

Chapter 11.

AN ACT to regulate the holding of sessions of the supreme judicial court for the trial of criminal cases.

Be it enacted, etc.

SECTION 1. The January term of the supreme judicial court for the county of Waldo shall be held for the trial of criminal cases as well as civil cases.

SEC. 2. All acts inconsistent with this act are hereby repealed.

[Approved February 12, 1906.]

Chapter 12.

AN ACT to aid in the settlement and disposal of assets of banks after the surrender or expiration of their charters.

Be it enacted, etc.

A purchaser or assignee of any chose in action, sold at public or private sale by any bank in this state, may, after such bank has surrendered its charter, sue thereon in his own name, subject to all legal equitable defenses, and any action pending in the name of the bank for the collection of any such chose in action at the time of the sale, may be prosecuted to final judgment and execution by such purchaser or in the same manner as if the charter of said bank had not expired, or he enforcing the writ.

[Approved February 13, 1906.]

Chapter 13.

AN ACT establishing the salaries of the judge and the register of probate for Franklin county.

Be it enacted, etc.

That from and after the first day of January, eighteen hundred and sixty-six, the salary of the judge of probate of Franklin county shall be two hundred and fifty dollars, instead of the salary now established by law. And from and after the first day of January, eighteen hundred and sixty-six, the salary of the register of probate of Franklin county shall be five hundred dollars, instead of the salary now established by law.

[Approved February 13, 1906.]

Chapter 14.

AN ACT to provide for the payment of the war loan of eighteen hundred and sixty-one.

Be it enacted, etc.

SECTION 1. All sums of money that may be reimbursed by the United States in liquidation of claims for advances made by the state of Maine for the outfit, equipment and other necessities furnished to troops raised in this state for the service of the United States, in the year eighteen hundred and sixty-one, are hereby pledged and set apart for the payment of the principal of the war loan negotiated under the resolve approved April twenty-fifth, eighteen hundred and sixty-one, and the same, together with any interest which may accrue thereon, shall be held as a fund for that specific purpose, and the said fund shall be invested, regulated and made available for the payment of the said loan at its maturity, in the same manner and by the same authority as prescribed in the act to create and establish a sinking fund, approved January twenty-eighth, eighteen hundred and sixty-five, and shall be applied to the extinguishment of the said war loan.

SEC. 2. If the fund provided for by this act shall prove insufficient to pay all the bonds issued under the resolve aforesaid, payment thereof may be made from the fund created under the said act of January twenty-eighth, eighteen hundred and sixty-five, and in the manner therein prescribed, to the extent of such deficiency.

SEC. 3. Any money in the treasury, applicable to the requirements of this act, is hereby appropriated, and the governor, with the advice and consent of the council, is hereby authorized to draw his warrant therefor, to be invested in accordance with the provisions of the act above referred to.

SEC. 4. So much of the said act of January twenty-eighth, eighteen hundred and sixty-five, as relates to stamping any securities belonging to the sinking fund, is hereby repealed.

SEC. 5. This act shall take effect when approved.

[Approved February 13, 1906.]

Chapter 15.

AN ACT relating to certain fixtures.

Be it enacted, etc.

In all transfers of real estate, all fixtures and the fixtures thereon belonging, and all carpets and carpeting, shall be regarded personal property and not pass with the realty.

[Approved February 16, 1906.]

Chapter 16.

AN ACT additional to chapter sixty-five of the Revised Statutes relating to the distribution of estates, real and personal, and of lands held in mortgage and taken in execution.

Be it enacted, etc.

When an executor or administrator has taken land in execution for debt due the estate, as provided for in section twenty-two of said chapter, and such executor or administrator is or shall be deceased without disposing of the same, his executor or administrator may be licensed by the judge of probate to sell and convey the same, to carry into effect the trust whereby the same is holden, or for any other purposes designated by law.

[Approved February 16, 1906.]

Chapter 17.

AN ACT explanatory of "An Act to provide support to the families of soldiers," approved February twenty-fifth, one thousand eight hundred and sixty-six.

Be it enacted, etc.

The words "during the present rebellion," when applied to soldiers in the volunteer service, shall be construed to mean, until their discharge, and as applicable to all others, as being of an end, and the aid under said act to cease.

[Approved February 16, 1906.]

Chapter 18.

AN ACT to increase the salary of the register of probate for the county of Androscoggin.

Be it enacted, etc.

The salary of the register of probate for the county of Androscoggin shall be four hundred dollars, instead of three hundred, as now provided, to commence from the first day of January, in the year of our Lord one thousand eight hundred and sixty-six.

[Approved February 16, 1906.]

Chapter 19.

AN ACT to authorize any city or town to erect a monument in memory of deceased soldiers.

Be it enacted, etc.

SECTION 1. Any city or town in this state is hereby authorized to raise a sum of money, not exceeding five thousand dollars, for the purpose of erecting a suitable monument in memory of the soldiers who have sacrificed their lives in defense of their country in the recent war. And the same may be collected by taxation or otherwise, the same as money raised for any other city or town purposes.

SEC. 2. This act shall take effect from and after its approval by the governor.

[Approved February 19, 1906.]

Chapter 20.

AN ACT relating to the discipline of the state prison.

Be it enacted, etc.

SECTION 1. The warden of the state prison shall keep record of the conduct of each convict, and for every month that such convict shall appear by such record to have been fully observed all the rules and requirements of the prison, the warden may recommend to the executive a deduction from the term of service of such convict's sentence according to, but not exceeding, the following rule and proportion: for a convict under the sentence of two years or less, one day for each month of good conduct; three years or less, and more than two years, two days; four years, three days; five years, four days; seven years or less, and more than five years, five days; nine years or less, and more than nine years, six days; ten years or less than fifteen years, seven days; fifteen years or less than twenty years, eight days; and for all other convicts, except those sentenced to perpetual imprisonment, ten days.

SEC. 2. Chapter two hundred and thirty-five of the laws of eighteen hundred and sixty-four, and all other acts inconsistent with this act, are hereby repealed.

SEC. 3. This act shall take effect from the approval by the governor.

[Approved February 19, 1906.]

Chapter 21.

AN ACT to amend chapter two hundred fifty-six of the public laws of the year eighteen hundred sixty-four.

Be it enacted, &c.

SECTION 1. The second section of chapter two hundred fifty-six of the public laws of eighteen hundred sixty-four, is hereby amended by striking out the word "seven" in the third line as printed, and inserting in place thereof the word "three", and by striking out the word "two" in the eighth line of said section, and inserting in place thereof the word "one".

SECTION 2. This act shall take effect and be in force when approved by the governor.

[Approved February 18, 1865.]

Chapter 22.

AN ACT in relation to repairs of roads in unincorporated townships.

Be it enacted, &c.

SECTION 1. The expenses for repairing roads in unincorporated townships shall be assessed by the county commissioners, in like manner as is now provided by law for opening and making roads in said townships, and such assessments shall be made whenever they shall have satisfactory evidence that such roads need repairs.

[Approved February 18, 1865.]

Chapter 23.

AN ACT to establish the salary of the county attorney for the county of Franklin.

Be it enacted, &c.

SECTION 1. The annual salary of the county attorney for the county of Franklin shall be two hundred and fifty dollars, payable quarterly, from the first day of January last, which shall be in full for all official services.

SECTION 2. This act shall take effect when approved.

[Approved February 19, 1865.]

Chapter 24.

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 the State to redeem its bills would expire in the year eighteen hundred and sixty-six but for the provisions of this act, such liability shall be extended until the first day of March, in the year eighteen hundred and sixty-seven, except such bills as are now in the hands of receivers.

SECTION 2. The bank commissioners shall publish in one or more newspapers nearest the place where a bank is situated, and in each other newspaper as they may see fit, a notice of the time when the liability of such bank will cease for the redemption of its bills, said notice to be continued for three months next before the time named therein.

SECTION 3. Whenever any bank organized under the laws of this State shall have surrendered its charter and shall not have organized under the enabling act of this State as a national bank, and shall have collected or received as the proceeds of the assets of said bank over and above a sum sufficient for the payment of the debts of said bank, not less than ten per cent. of its capital stock, it shall be the duty of the directors within thirty days to declare and cause to be paid a dividend to the stockholders of said bank pro rata of ten per cent. of the amount of the stock of said stockholders to each respectively, said dividend to be continued and paid from time to time as said ten per cent. shall have been collected and received by each bank, until the final closing of its affairs.

SECTION 4. Notice of said dividend shall be given by publication three weeks successively in some newspaper within the county where said bank is located, within ten days after said ten per cent. shall have been collected and received.

SECTION 5. If any cashier, director or directors of any bank in this State which shall have surrendered finally its charter, and shall not have organized under the enabling act of this State as a national bank, shall fail or omit to declare and pay such dividend, he or they jointly or severally shall be liable and liable to any stockholder in said bank, aggrieved by such neglect or omission of said cashier, director or directors, to receive the amount of the dividend thus withheld, to be recovered in an action upon the case in any court competent to try the same.

SECTION 6. This act shall take effect when approved.

[Approved February 20, 1865.]

Chapter 25.

AN ACT additional concerning the redemption of railroad mortgages.

Be it enacted, &c.

SECTION 1. When the foreclosure of any railroad mortgage has been completed, and a new corporation has been organized from the holders of the bonds and the coupons secured by said mortgage, or whenever such foreclosure shall hereafter be completed and such new corporation shall have been organized as aforesaid, if the railroad described and conveyed by such foreclosure mortgage, or any part of said railroad, is subject or shall be subject to any prior mortgage or mortgages, put upon foreclosure, such new corporation in any legal meeting duly called for that purpose, may vote to redeem such prior mortgage or mortgages, and may further vote to lay an assessment upon all stock, bonds, coupons and certificates for fractions of stock of all persons interested in such foreclosure mortgage, for the purpose of redeeming such prior mortgage or mortgages, to an amount not exceeding the amount required for such redemption.

SECTION 2. Whenever in a legal meeting, the stockholders of such new corporation, have voted to redeem such prior mortgage or mortgages and to make an assessment for that purpose, it shall be the duty of the directors of such new corporation forthwith to assess such sum, not exceeding the amount required, for the redemption of such prior mortgage or mortgages.

SECTION 3. Such sum shall be assessed upon all interests in said foreclosure mortgage in proportion to their several amounts, whether stock, or certificates for fractions arising in commutation of bonds and coupons for stock, or bonds and coupons not commuted for stock.

SECTION 4. The said directors shall fix a time and place for the payment of said assessment to the treasurer of said corporation, and said treasurer shall give notice of said assessment, of the per centage laid upon those interested by the same, and of the time and place fixed by the directors for the payment of the same, and shall call upon all persons liable to the payment of said assessment, by publishing an advertisement of the same, six weeks successively, in one newspaper published in each of the counties where the railroad conveyed by said foreclosure mortgage is situated, the last of said publication to be two weeks, at least, before the time fixed for the payment of said assessment.

SECTION 5. If any stockholder in said new corporation shall fail to pay his proportion of said sum, on or before the day fixed for the payment by said directors, the treasurer of said corporation shall sell the stock of such delinquent stockholder at public auction, or enough of said stock to pay the amount of said delinquent's assessment with twelve per cent interest thereon, by the year, from the day fixed by said directors for the payment of the same, and the cost of advertising and selling; the said treasurer first giving notice of the time and place of said sale, by publishing an advertisement of the same, three weeks successively before the day of sale, in some newspaper printed in the county where said sale shall be appointed, if any, if not, then in an adjoining county.

SECTION 6. The president and treasurer of such corporation shall give to the purchaser of the shares of said, a certificate for the same, and the said certificate shall confer upon him a good title to the same, and said delinquent stockholder shall surrender his certificate to be cancelled, and may have a new certificate for any number of his said shares, not said at said auction, by paying for the same stamp required.

SECTION 7. If the delinquent shall be the holder of bonds or coupons secured by such foreclosure mortgage, or of a certificate or certificates for fractions arising in commutation, he shall not be entitled to commute such bonds, coupons or certificates for fractions for a certificate of stock, until he shall have paid to the treasurer of such new corporation the full amount due upon the said assessment, with twelve per cent interest, by the year, from the time fixed by the directors for the payment thereof.

SECTION 8. No holder of any bonds or coupons secured by such foreclosure mortgage, or of any certificate or certificates for fractions arising upon commutation, shall be entitled to have such bonds, coupons or certificates for fractions, share in any dividend of profits that may be declared by the directors of such new corporation, before he shall have satisfied and paid his proportion of the sum assessed, with interest at the rate of twelve per cent, by the year, from the time fixed for the payment of the same by said directors, nor unless he shall previously have commuted his said bonds, coupons and certificates for fractions and taken a certificate of stock.

SECTION 9. The directors of such new corporation shall apply all moneys realized from said assessment to redeem such prior mortgage or mortgages, and for no other purpose, until the same are fully redeemed.

SECTION 10. And on the redemption of such prior mortgage

or mortgage, all the property, rights and interests secured thereby, shall vest in such new corporation.

[Approved February 20, 1866.]

Chapter 26.

AN ACT amendatory of the statute in relation to the representation of county agricultural societies in the state board of agriculture.

Be it enacted, etc.

That chapter one hundred and eighty-six, section one, approved March twenty, eighteen hundred and sixty, be amended by the addition of the following, to be inserted after the word "agriculturists" in the twenty-first line: If no election be made, the secretary of the convention shall forthwith transmit to the governor and council the names of the two or more persons having the highest number of ballots and the governor and council shall appoint one of the persons so balloted for, to be the member for that county.

[Approved February 20, 1866.]

Chapter 27.

AN ACT in relation to the jurisdiction of trial justices.

Be it enacted, etc.

SECTION 1. All actions between parties residing in the same county, returnable before any trial justice, shall be commenced before some such districted justice, residing or holding his court in the town where one of the parties or his attorney or person summoned as trustee in such action has his residence, and if there is no such justice in or holding his court in such town, then before some such justice, if any, in an adjoining town; otherwise before any such justice in the county.

SECTION 2. When the parties reside in different counties, such actions may be commenced before any such justice having his residence in the county where the defendant resides; provided however, that all trustee actions, returnable before such justice, shall be commenced before some such justice in the county where the person summoned as trustee has his residence.

SECTION 3. Original writs in civil actions, issued by any trial justice, may be made returnable before any other trial justice, therein named, in the same county, and shall have the same force and validity as though signed by the trial justice before whom the same is returnable.

SECTION 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

[Approved February 20, 1866.]

Chapter 28.

AN ACT in relation to evidence.

Be it enacted, etc.

The rules of evidence when an executor or administrator is a party, shall be applied to cases where a person shown to the court to be insane, is solely interested as a party.

[Approved February 20, 1866.]

Chapter 29.

AN ACT to increase the salary of the county attorney for the county of Waldo.

Be it enacted, etc.

SECTION 1. That the salary of the county attorney for the county of Waldo shall be four hundred dollars, instead of the salary now established by law, commencing on the first day of March, in the year of our Lord one thousand eight hundred and sixty-six.

SECTION 2. This act shall take effect from and after its approval by the governor.

[Approved February 20, 1866.]

Chapter 30.

AN ACT to regulate the taking of menhaden and other fish in the waters of Maine.

Be it enacted, etc.

SECTION 1. No person, except as hereinafter provided, shall set or use any seine within three miles of the shore in any waters of this state, for the purpose of taking menhaden or porbeag, under a penalty of not less than one hundred nor more than five hundred dollars, and the forfeiture of all vessels, boats, crafts and apparatus employed in such unlawful fishing, for each offense; but a net of no more than one hundred and fifty meshes deep shall not be deemed a seine.

SECTION 2. The county commissioners may grant a written permit to any person or persons to take with a seine or seine, under such limitations and restrictions as they see fit, within the waters of their county or any part thereof, menhaden or porbeag, for bait, or for the purpose of their being manufactured into oil or grease on the land within the limits of this state; and such permits shall expire in one year from their date, and shall not be transferable; and the

person or persons receiving such permits, shall pay therefor to the county in which it is granted, if they are to use a seine of seventy-five fathoms or less in length, ten dollars; if of more than seventy-five and less than one hundred fathoms in length, fifteen dollars; if of one hundred or more fathoms in length, twenty dollars; and shall exhibit and permit at all times when required by any trial justice, constable or other peace officer, and upon refusal shall be fined for each refusal the sum of twenty-five dollars.

SECTION 3. Any person who shall cut or deposit or cause to be thrown or deposited into any of the navigable waters of this state, any pomace, wrags or other offal arising from the making of oil from menhaden or herring, or any impure water arising therefrom, shall pay a fine of not less than fifty nor more than one thousand dollars for each offense.

SECTION 4. All vessels, boats, crafts and apparatus, of any kind, employed in violation of any of the provisions of this act, shall be liable for any fine and costs; and it shall be lawful, for any person or persons, to seize and detain said property, not exceeding thirty-six hours, that the same may be attached by due process of law, to satisfy any judgment that may be rendered in the suit.

SECTION 5. All penalties and forfeitures named in this act may be recovered in an action of debt, in the name and in the use of the county, or in the name of any person suing therefor, one-half of such fine and forfeiture to be paid to the person prosecuting, and the other half to the county where the offense is committed.

SECTION 6. All acts and parts of acts inconsistent with the act are hereby repealed.

SECTION 7. This act shall take effect when approved by the governor.

[Approved February 21, 1866.]

Chapter 31.

AN ACT providing for the recording of certificates of discharge of soldiers and seamen from the service of the United States.

Be it enacted, etc.

SECTION 1. Clerks of courts, in their respective counties, are hereby authorized and required to record in a book kept for that purpose, and cause the same to be properly indexed, certificates of discharge of soldiers and seamen from the army and navy of the United States, for which they shall be entitled to receive from the person requiring such record, a fee of twenty-five cents.

SECTION 2. Certified copies of such records, where the originals are lost, or cannot be found, shall be received as evidence in the courts of this state, and in the absence of other proof, shall have the like force and effect as the original certificates, and no more than twenty-five cents shall be allowed for such certificate.

[Approved February 21, 1866.]

Chapter 32.

AN ACT to amend chapter fifty-one of the revised statutes.

Be it enacted, etc.

SECTION 1. Section twenty of chapter fifty-one of the revised statutes is hereby stricken out, and the following substituted therefor: Boards, with the words railroad crossing distinctly painted thereon, on each side, in letters plainly legible, are to be placed at the side of a way where it is crossed by a railroad on a post or other structure, in such a position as to be easily seen by persons passing upon such way.

SECTION 2. This act takes effect from and after its approval by the governor.

[Approved February 21, 1866.]

Chapter 33.

AN ACT additional in relation to the reform school.

Be it enacted, etc.

The trustees of the reform school are hereby authorized to contract with the secretary of the interior for the confinement and support in the reform school, of juveniles of offenders against the laws of the United States, in accordance with the provisions of the act of congress, approved March three, eighteen hundred and sixty-five.

[Approved February 21, 1866.]

Chapter 34.

AN ACT to regulate the drainage of salt marsh.

Be it enacted, etc.

SECTION 1. All partition ditches, for the drainage of salt marsh in this state, shall be subject to the jurisdiction of the town viewers of the towns in which such salt marsh is situated.

SECTION 2. The owners or occupants of salt marsh included by a ditch, shall maintain partition ditches between their own and the adjoining townships, while they continue to

improve them, in such shares as shall in the judgment of the fence viewers, be in proportion to the benefit accruing to the parties by such drainage.

SECT. 3. If any party neglects or refuses to make or repair any such ditch, which in the opinion of either party ought to be maintained, the aggrieved party may complain to two or more fence viewers of the town where the said ditch is situated, who, after due notice to such parties, shall proceed to survey it, and if they determine that the ditch is not sufficiently drained, and that such party would be benefited by a partition ditch, they shall signify it in writing to the delinquent occupant, or owner, and direct him how wide and deep a ditch he must make, not to exceed three feet in width and three feet in depth, and what time he shall be allowed to make it, not exceeding sixty days. If the ditch is not made or repaired, the complainant may make or repair it.

SECT. 4. When the complainant has completed such ditch, and notice given it is adjudged sufficient by two or more of the fence viewers, and the value thereof, with the fence viewers' fees, certified under their hands, he may demand of the occupant or owner of the land, where the ditch was deficient, double the value, and fees thus ascertained; and in case of neglect or refusal to pay the same, for one month after demand, he may recover the same by an action on the case, with interest at the rate of one per cent a month.

SECT. 5. When the occupants or owners of adjacent lands disagree respecting their rights in partition ditches, and their obligation to maintain them, on application of either party, two or more fence viewers of the town where the lands lie, after reasonable notice to each party, may in writing under their hands assign to each his share thereof, and limit the time in which each shall make or repair his part of the ditch, not exceeding sixty days. Such assignment and all other assignments of proprietors of partition ditches herein provided for, recorded in the town clerk's office, shall be binding upon the parties, and they shall thereafter maintain their part of said ditch.

SECT. 6. When a ditch between the owners of improved lands is divided either by fence viewers or by the written agreement of the parties, recorded in the town clerk's office where the land lies, the owners shall make and maintain it accordingly; but if any person lays his lands common, and determines not to improve any part of them adjoining such ditch, and gives six months notice to all occupants of adjoining lands, he shall not be required to maintain such ditch while his lands so lie common and unimproved.

SECT. 7. Fence viewers in such cases shall be subject to the same penalty if they neglect their duty, and receive the same fees for services as in cases of fence viewing.

SECT. 8. This act shall take effect when approved.

[Approved February 21, 1866.]

Chapter 35.

AN ACT to amend chapter two hundred and sixty-four of the public laws of eighteen hundred and sixty-four, entitled "an act requiring the secretary of state to furnish the clerks of courts in the several counties, a list of all persons commissioned and qualified as justices of the peace, justices of the peace and quorum, trial justices, and notaries public."

Be it enacted, &c.

Section first of said chapter is hereby amended by inserting after the word "commence" in the second line, and after the word "clerks" in the fourth line, the words, and to the judges of the several municipal and police courts, so that the said section as amended shall read as follows:

SECTION 1. The secretary of state shall, on or before the first day of June next, forward to the clerks of courts in the several counties, and to the judges of the municipal and police courts, a list of all justices of the peace, justices of the peace and quorum, trial justices, and notaries public, in this state, whose qualifications have been filed in his office. Such list shall contain the name and place of residence of every such officer, the date of his commission, and the county or counties for which he is commissioned. And he shall forward to said clerks and judges of the several municipal and police courts, on the first day of December and of June annually thereafter, a similar list of all such officers, commissioned and qualified during each preceding period of six months.

[Approved February 21, 1866.]

Chapter 36.

AN ACT to amend chapter two hundred and twenty-eight of the public laws of eighteen hundred and sixty-four, entitled "an act."

Be it enacted, &c.

SECTION 1. The first section of chapter two hundred and twenty-eight of the public laws of eighteen hundred and

sixty-four, is hereby amended, by adding thereto the following words, viz: provided, however, that when such engine is passing through any city, town or village, the bell may be used for a warning instead of the steam whistle.

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

[Approved February 21, 1866.]

Chapter 37.

AN ACT to define the duties of the superintendent of public buildings and fixing his pay.

Be it enacted, &c.

SECTION 1. The duties of superintendent of public buildings shall be for the entire year the same as prescribed for the revenue of the legislature, by a resolve approved March twenty-five, 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, as the public interest may require, which he shall do without extra compensation; and he shall receive in full for all his services the sum of six hundred and fifty dollars per year, payable quarterly.

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

[Approved February 21, 1866.]

Chapter 38.

AN ACT to revive chapter sixty-eight of the public laws of eighteen hundred and fifty-nine.

Be it enacted, &c.

That chapter sixty-eight of the public laws of this state, approved March twenty-second, eighteen hundred and fifty-nine, be, and the same is hereby revived, and the same shall continue in full force until it shall be repealed.

[Approved February 21, 1866.]

Chapter 39.

AN ACT to amend chapter eighteen of the Revised Statutes concerning ways.

Be it enacted, &c.

SECTION 1. In all cases where application has been made to the county commissioners for a jury to assess damages, as provided in chapter eighteen of the revised statutes, they shall appoint a person well versed in law to preside at the view and hearing; and if, from any cause, he does not attend at the time and place appointed therefor, the officer who summoned the jury shall adjourn the view and hearing till such person does attend, or another is appointed and attends in his place; and the person so presiding, in addition to the duties prescribed in section twelve of said chapter, shall make a correct report of the evidence introduced before him and return the same to the court.

SECT. 2. Section thirteen of said chapter is so amended that the supreme judicial court shall receive said verdict and the certificate and report of the person presiding; either party interested therein, may file a written motion to set aside said verdict, for the same causes that a verdict rendered in court may be set aside; the court shall hear any competent evidence relating to the same, adjudge thereon, and confirm the verdict, or set it aside for good cause, reserving the right to except as in other cases.

[Approved February 21, 1866.]

Chapter 40.

AN ACT relating to guide posts.

Be it enacted, &c.

SECTION 1. Towns shall erect and maintain within their respective limits, guide posts at all crossings of public highways, and where one public highway enters another such way; and for any neglect herein shall be subject to indictment and fine, not exceeding fifty dollars.

SECT. 2. Section seventy-three of chapter eighteen of the revised statutes is hereby repealed.

[Approved February 21, 1866.]

Chapter 41.

AN ACT to increase the salary of the county attorney for the county of Knox.

Be it enacted, &c.

From and after the first day of January, eighteen hundred and sixty-six, the salary of the county attorney for the county of Knox shall be five hundred dollars, instead of the sum now allowed by law.

[Approved February 21, 1866.]

Chapter 42.

AN ACT to establish the salary of the judge of probate for the county of Fond du Lac.

Be it enacted, &c.

SECTION 1. The salary of the judge of probate for the

county of Penobscot, instead of the salary as now fixed by law, shall be seven hundred dollars per year, payable quarterly.

SECT. 2. All provisions of law inconsistent with this act are hereby repealed.

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

[Approved February 23, 1866.]

Chapter 43.

AN ACT to regulate the inspection of flour.
Be it enacted, &c.

SECT. 1. The mayor and aldermen of cities and the selectmen of towns in this state are hereby authorized to appoint annually, in their respective cities and towns, one or more suitable persons to be inspectors of flour for the period of one year from the date of appointment, but no one who is interested in the manufacture or sale of flour shall be so appointed.

SECT. 2. Every such inspector, before entering upon the duties of his office, shall be sworn to the faithful and impartial discharge of the same, before the clerk of the city or town in which he is appointed, and such clerk shall give him a certificate of his appointment and qualification, upon payment of a fee of fifty cents, which certificate shall be exhibited on the demand of any person interested in any inspection made by the holder of it.

SECT. 3. Inspection of flour in this state shall be for the purpose of ascertaining its soundness; every package of flour inspected under the provisions of this act shall be opened sufficiently to allow a trial to be passed through it, and a sample of the whole length of the package shall be taken out, and examined by the inspector, who shall mark upon each package with a brand or stamp the word sound or the word unsound as the quality of the flour contained in each shall be found, together with his name, residence, office, and the year of inspection. Every inspector shall keep a record of all flour inspected by him, in a book devoted exclusively to that use, which record he shall be required to exhibit to any person requesting it.

SECT. 4. Every inspector, who shall wilfully, falsely and fraudulently mark any package of flour with a mark indicating a quality different from the true quality, shall be punished by a fine of five dollars for each package so falsely and fraudulently marked, and shall also forfeit to any person injured thereby three times the amount of damage, to be recovered in an action of debt.

SECT. 5. Every person who shall, with intent to defraud and deceive, alter, obliterate or counterfeit, the inspection marks of any inspector, placed on any package of flour under the provisions of this act, and every person who, with intent to deceive and defraud, shall place upon any package of flour, marks which falsely purport to be inspection marks, under the provisions of this act shall be punished by a fine not exceeding fifty dollars, and upon conviction of so altering, obliterating, counterfeiting or placing marks falsely purporting to be inspection marks on as many as ten packages at one time, shall also be punished by imprisonment in the county jail not exceeding ten months.

SECT. 6. Any person buying flour may require the same to be inspected before it is delivered; the fee of the inspector shall be five cents a package for lots of less than ten packages, for lots of more than ten and not exceeding twenty packages, two cents a package; and for every package exceeding twenty, one cent; to be paid by the person demanding the inspection.

SECT. 7. The inspectors of flour appointed under this act, shall, whenever required, in addition to the inspection of the soundness or unsoundness of the article, examine and determine whether it conforms to and equals the sample furnished to them, and shall mark, with some distinct and intelligible mark, the packages that are found like the sample, and for this service they may charge an additional compensation of one half cent per package.

SECT. 8. Nothing contained in this act shall be held to prohibit, or render illegal, any contract for the manufacture or sale of flour, which has not been inspected, when inspection is not required by the buyer or the seller.

SECT. 9. This act shall take effect when approved by the governor.

[Approved February 23, 1866.]

Chapter 44.

AN ACT amending seventeenth section of chapter twelve of the revised statutes, relating to parishes and religious societies.
Be it enacted, &c.

SEVENTEENTH SECTION OF CHAPTER TWELVE OF THE REVISED STATUTES, is hereby amended, by inserting after words "episcopal churches," in the first line, the words "trustees of the methodist episcopal church or societies, or that said section, as amended, shall read as follows: The church wardens of

episcopal churches, trustees of the methodist episcopal church, or societies, and the trustees of all other protestant churches, are to be corporations as to take in succession all grants and donations of real and personal estate made to their churches or to those and their successors; and if the ministers, elders or vestry, are joined with them in such grants or donations, the two classes of officers shall be corporations for that purpose.

[Approved February 20, 1866.]

Chapter 45.

AN ACT authorizing the sale of certain lots of land in township number four, range four, W. E. L. S.
Be it enacted, &c.

Lots or sections of land in township number four, range four, W. E. L. S., exceeding the quantity allowed to be sold to settlers, may be sold upon same terms as are prescribed in chapter five revised statutes, if in the judgment of the land agent, such lots or sections are not valuable for the lumber growth, and found to be better adapted for settlement than other purposes.

[Approved February 23, 1866.]

Chapter 46.

AN ACT in addition to chapter sixty four of the revised statutes in relation to foreign wills.
Be it enacted, &c.

SECT. 1. Any will made and executed in any foreign country, or in any other of the United States, according to the laws thereof, shall be valid and have the same force and effect in this state as if made and executed herein in the manner prescribed by the laws thereof, and when offered for probate may be proved and allowed by this state, in the county where the testator was a resident at the time of his death, proof of execution may be taken in the manner provided by the laws of this state, with respect to wills made and executed therein. When by such proof it clearly appears to the judge that such will was made and executed according to the laws of the state or country where made and executed, he may decree probate thereof, and proceed in the settlement of the estate according to the provisions of the will, in the manner provided by the laws of this state in the settlement of estates by wills made and executed therein.

SECT. 2. All acts inconsistent with this act are hereby repealed.

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

[Approved February 23, 1866.]

Chapter 47.

AN ACT relating to public highways in the office of this state.
Be it enacted, &c.

Nothing in any city charter or in acts, additional thereto, shall be so construed as to deprive county commissioners of the power to lay out, alter or discontinue county roads within the limits of such cities.

[Approved February 23, 1866.]

Chapter 48.

AN ACT authorizing pensions for disabled soldiers and seamen.
Be it enacted, &c.

SECT. 1. Any person who has served in the army or navy of the United States in the war of eighteen hundred and sixty one, in the quota of Maine, and who has been disabled by wounds or other injury received in said service and in the line of duty shall be entitled to a pension from the state of Maine, not exceeding eight dollars per month.

SECT. 2. The widow during widowhood, orphan child or children under twelve years of age, of any soldier or seaman deceased from wounds or other injury contracted in the service while in the line of duty, shall be entitled to the same pension as is provided in section first of this act, provided that no more than eight dollars per month be paid to one family.

SECT. 3. Any person or persons described in section first and second, who are not residents of Maine, or who by the pension received from the United States, with their own labor and resources, are able to obtain a livelihood for themselves and those dependent on them, shall not be entitled to the benefits of this act.

SECT. 4. All applications shall be made to the governor and council who shall regulate the proof required in whole appropriate to the benefits of this act, and issue certificates therefor.

SECT. 5. Upon the issue of said certificate, 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 on application.

SECT. 6. The necessary blanks shall be issued by the secretary of state to the clerks of cities, towns and plantations, and the expenses incurred in printing and distribution shall be paid from the treasury of the state.

SECT. 7. This act shall continue and be in force for the term of one year from its approval.

[Approved February 23, 1866.]

Chapter 49.

AN ACT relating to appointments and removals of certain officers in cities.

Be it enacted, &c.

In all cases where appointments to office are directed or authorized to be made by the mayor and aldermen of cities, such appointments shall be made by the mayor, by and with the advice and consent of the aldermen, and such officers may be removed by the mayor.

[Approved February 23, 1866.]

Chapter 50.

AN ACT relating to hawkers and peddlers.

Be it enacted, &c.

SECTION 1. No person except as hereinafter provided, shall travel from town to town, or place to place in any town in this state, on foot, or by any kind of land or water conveyance whatsoever, carrying for sale, or offering for sale, any goods, wares, merchandise, whole or by sample, under a penalty of not less than fifty nor more than two hundred dollars, and the forfeiture of all property thus unlawfully carried. But nothing in this act shall be construed as conflicting with the right of any commission merchant, or commercial broker, in any town or city in which he resides, from travelling from place to place in such town or city, and selling or offering to sell, by sample or otherwise, any goods, wares, or merchandise.

SECT. 2. The county commissioners may license for the purposes aforesaid, any person who proves, to their satisfaction, that he contains a good moral character, and has been five years a citizen of the United States, and such license shall expire one year from their date, and shall not be transferable, and the person receiving such license shall pay therefor to the county treasurer, if he is to sell or offer to sell by retail, ten dollars; if by wholesale, twenty-five dollars; and said county treasurer shall pay all moneys received by them for such license, into the treasury of the state, but nothing herein shall prevent any citizen of this state from selling any fish, fruit, provisions, farming utensils, or other articles lawfully raised or manufactured in this state.

SECT. 3. Every person who receives a license under this act, shall exhibit it at all times, when required by any trial justice, constable or other peace officer, and upon refusal, he shall forfeit the sum of fifty dollars and the carriage, goods, wares and merchandise, of such person, which he is then and there employing under such license, upon complaint before any justice of a peace or municipal court, or any trial justice in said county, may be seized under his warrant and detained in the custody of the officer until payment of said penalty or the discharge of the accused, and in case of his conviction, if said property is not redeemed within twenty days thereafter, it shall be forfeited, and may be sold as taken on execution, and the net proceeds distributed as hereinafter provided.

SECT. 4. All penalties and forfeitures herein provided, may be recovered by indictment or by action of debt in the name of the prosecutor, one-half in the use of the town where the offense is committed, and the other to the use of the person prosecuting therefor; and any trial justice or justice of a peace or municipal court, upon complaint for a violation of this act, may issue his warrant and cause the arrest of the accused, and the seizure of the property alleged to be forfeited, and if upon examination he shall find there is probable cause to believe that the person charged is guilty, he may order him to recognize with sufficient sureties, to appear before the next supreme judicial court for said county, and in default thereof may commit him, and may order the detention of said property, by the officer in whose custody it is until trial in said court, and in case of conviction, said property shall be decreed forfeited to the town aforesaid, and shall be sold as if taken on execution.

SECT. 5. Every person licensed, shall have painted on some conspicuous place on every carriage employed by him, in letters at least one inch wide, his name and the words, licensed by C. C.

SECT. 6. Chapter forty-four of the revised statutes, and

chapter two hundred and ninety-six of the public acts of eighteen hundred and sixty-five, are hereby repealed, except as to all prosecutions and actions under them pending, when this act shall take effect.

SECT. 7. No charge shall be made for the license provided for in this act, to any soldier in this state, disabled in the service during the recent war for the suppression of the rebellion.

SECT. 8. This act shall take effect upon its approval by the governor.

[Approved February 23, 1866.]

Chapter 51.

AN ACT in relation to the rule of damages in actions of tort.

Be it enacted, &c.

SECTION nine. chapter one hundred twenty-seven of the revised statutes is hereby amended by striking out all after the word "wages," in the last line, and inserting the following words: "for the amount of the injury so done and for such further sum not exceeding in all three times such amount as the jury shall judge reasonable under the circumstances of the case."

[Approved February 23, 1866.]

Chapter 52.

AN ACT additional to chapter sixty-one of the revised statutes and to the laws additional thereto relating to married women.

Be it enacted, &c.

The contracts of any married women, made for any lawful purpose, shall be valid and binding, and may be enforced in the same manner as if she were sole, and her separate property shall be held by attachment or levy on execution in any suit brought to enforce such contract, but she shall not be liable to arrest on any writ in such suit or on any execution issued on a judgment recovered in the same; provided that nothing in this act shall be so construed as to effect any suit now pending.

[Approved February 23, 1866.]

Chapter 53.

AN ACT to amend chapter one hundred and two of the public laws of eighteen hundred and fifty-nine, relative to the competency of witnesses.

Be it enacted, &c.

SECTION one of chapter one hundred and two of the public laws of eighteen hundred and fifty-nine is amended by inserting after the word "civil" in the first line, the words and criminal, so that as amended, it shall read as follows:

SECTION 1. In the trial of civil and criminal actions, the husband and wife of either party shall be deemed competent witnesses, when the wife is called to testify by or with the consent of her husband, and the husband by or with the consent of his wife.

[Approved February 23, 1866.]

Chapter 54.

AN ACT to increase the fees of jurors, deputy sheriffs, witnesses and county commissioners, selectmen and assessors.

Be it enacted, &c.

SECTION 1. The fees of grand and trial jurors attending court or before a sheriff on occasions prescribed by law, and of deputy sheriffs when ordered to attend the supreme judicial court, shall be two dollars per day for each day's attendance; the fees of witnesses attending in the supreme judicial court shall be one dollar and fifty cents per day for each day's attendance; and the fees of each county commissioner shall be two dollars and fifty cents per day while actually employed in the service of the county, including the time necessarily spent in making drafts, or other labor, instead of the several sums now fixed by law for said fees, provided that the provisions of this act shall not apply to the pay of the county commissioners of Cumberland county.

SECT. 2. And the daily pay of the selectmen and assessors shall be one dollar and fifty cents, instead of the sum now provided by statute.

[Approved February 23, 1866.]

Chapter 55.

AN ACT to prevent the killing of fur-bearing animals between the months of May and October.

Be it enacted, &c.

No person shall in any way destroy between the first day of June and the fifteenth day of October of each year, any mink, beaver, sable, otter, fisher or muskrat, under penalty of ten dollars for each animal so destroyed, to be recovered on complaint; one-half of said penalty to go to the county where the offense is committed, and one-half to the prosecutor.

[Approved February 23, 1866.]

Chapter 56.

AN ACT to amend chapter ninety-four of the revised statutes, relating to forcible entry and detainer and tenancies.
Be it enacted, &c.

Section two of said chapter is hereby amended, by striking out in the third line the word "when," and inserting instead thereof the word "where," so that the first clause of said section shall read as follows: "A tenancy at will may be terminated by a written notice in quit, served on the tenant thirty days before the time named for its termination, but if no rent is due where a rent is payable, it shall not be terminated except at the option of the tenant, until rent shall become due."

[Approved February 23, 1866.]

Chapter 57.

AN ACT to amend an act additional to chapter one hundred forty-two of the revised statutes, relating to the reform school.
Be it enacted, &c.

That the first section of the act of March nineteenth, eighteen hundred and sixty, entitled "an act additional to chapter one hundred and forty-two of the revised statutes, relating to the reform school," be amended, by inserting at the end of said section, and after the word "additional," the following: "But this act shall not be so construed as to limit the powers given the trustees by the seventh section of chapter one hundred and forty-two of the revised statutes, entitled 'the state reform school.'"

[Approved February 23, 1866.]

Chapter 58.

AN ACT to increase the salaries of the justices of the supreme judicial court.
Be it enacted, &c.

The salaries of the justices of the supreme judicial court shall be two thousand and five hundred dollars each, instead of the sum now fixed by law, to be drawn quarterly as now provided.

[Approved February 23, 1866.]

Chapter 59.

AN ACT to make valid the doings of cities, towns and plantations relating to bounties to and for volunteers and for other purposes.
Be it enacted, &c.

Section 1. The past acts and doings of cities, towns and plantations in offering, paying and contracting to pay and in raising and providing the means to pay bounties to or for volunteers, drafted men or substitutes of drafted or enrolled men mustered into, or enlisted for, the military or naval service of the United States, are hereby made valid.

Section 2. All contracts heretofore made by the duly authorized municipal officers of any city, town or plantation with any volunteer, drafted man or substitute, for the payment of any bounty voted by such city, town or plantation; and all contracts heretofore made by said officers or their duly authorized agents with third persons, corporations or associations for the purpose of providing the means to pay bounties to volunteers, drafted men or substitutes, are hereby made valid.

Section 3. All contracts heretofore made by such municipal officers, or by third persons, in behalf of any city, town or plantation, but without previous authority therefor, to pay bounties to or for volunteers, drafted men or substitutes actually in or enlisted for the military or naval service of the United States may be ratified, confirmed and made valid by any city, town or plantation at any legal meeting thereon, an article being expressly inserted in the warrant calling such meeting that such matter will be presented for the action of such city, town or plantation.

Section 4. This act shall not be understood or construed as making valid the vote of any city, town or plantation to raise money to be paid by way of commutation, to relieve or discharge any person drafted or liable to be drafted into the military service of the United States, under or by authority of any act of Congress, when such person has neither been mustered into said service nor furnished a substitute.

Section 5. This act shall take effect when approved by the governor.

[Approved February 23, 1866.]