

# MAINE STATE LEGISLATURE

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THE  
**REVISED STATUTES**

OF THE  
STATE OF MAINE,

PASSED OCTOBER 22, 1840;

TO WHICH ARE PREFIXED

**THE CONSTITUTIONS**

OF THE

*United States and of the State of Maine,*

AND TO WHICH ARE SUBJOINED THE OTHER

PUBLIC LAWS OF 1840 AND 1841,

WITH AN

**APPENDIX.**

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PRINTED AND PUBLISHED IN COMPLIANCE WITH A RESOLVE OF OCTOBER 22, 1840.

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**Augusta:**

PUBLISHED BY WILLIAM R. SMITH & Co., PRINTERS TO THE STATE.

.....  
1841.

## CHAP. 6.

Same subject.  
1826, 333, § 1.

The same may  
be sold.  
1826, 333, § 2.

How avails of  
sale may be dis-  
posed of.  
1826, 333, § 2.

SECT. 69. The constable, to whom such order shall be delivered, shall thereupon seize all such liquors, carriages, vessels, and the materials of any such tent or booth, and hold and detain the same, until twenty four hours after the adjournment of the meeting, then to be delivered, on demand, to the person, from whom the said articles were taken, or to the lawful owner, on payment of three dollars for the safe keeping of the articles.

SECT. 70. If the same be not thus demanded, within twenty four hours after the seizure thereof, the same shall be exposed to sale by auction, by the constable seizing them, after forty eight hours notice of the time and place of sale shall have been posted up in two or more public places in such town or plantation, unless in the mean time redeemed, by payment of said sum, and the reasonable expense of advertising.

SECT. 71. The proceeds of the sale, after deducting the aforesaid expenses, and the charges of sale, to be taxed as on a sale of personal property taken on execution, shall be paid over to the person, from whom such articles were taken, or the lawful owner thereof.

## CHAPTER 7.

## OF THE SECRETARY OF STATE

SECT. 1. Secretary's oath and duties.

2. Acting secretary, in case of vacancy.

3. Bonds required of secretary and acting secretary.

4. Secretary to give notice of appointments, and deliver commissions.

5. Annual certificates of duties paid on commissions.

6. Distribution of the laws.

7. To prepare commissions for the governor's signature.

SECT. 8. Registry of commissions delivered, and certificates of qualification filed.

9. Bills to be engrossed under his direction.

10. What proceedings to be had, when commissioner of the treasury is appointed.

11. Blank election returns to be furnished to towns.

Secretary's  
oath and duties.  
1823, 212.

Acting secre-  
tary in case of  
vacancy.  
1822, 195.

SECTION 1. The secretary of state shall take and subscribe the oath or affirmation prescribed by the constitution, and shall keep his office at the seat of government, and shall keep and preserve in such office, at the expense of the state, all the records, as required by the constitution, and have the custody of the state seal.

SECT. 2. When a vacancy shall happen in the office of secretary, in the recess of the legislature, by death, resignation, or otherwise, the governor, with advice of the council, shall appoint a suitable person to act as secretary of state, until one shall be elected by the legislature, and he shall take the oath required to be taken by the elected secretary; and the person thus appointed shall have the same compensation, to be paid quarter yearly, as the secretary of the state would be entitled to, in proportion to the time, such person shall perform the duties of his appointment.

SECT. 3. The secretary, and also the acting secretary appointed as aforesaid, shall give bond to the state of Maine, in such sum as the governor and council shall direct; with good and sufficient sureties, with condition, that he will faithfully appropriate, according to law, all moneys belonging to the state, which may come to his hands by appropriation, and render, annually, a true account thereof to the governor and council.

CHAP. 7.

Bonds required of secretary and acting secretary. 1830, 480.

SECT. 4. When any person shall be appointed to any office, upon which a duty is or may be required, it shall be the duty of the secretary of the state to notify such person of the appointment; and on his producing from the proper officer a receipt for the amount of the duty, a commission shall be immediately made out under the direction of the governor, and delivered to him, or to any other person by him authorized to receive it.

Secretary to give notice of appointments and deliver commissions. 1825, 286, § 1.

SECT. 5. On the first day of January annually, the secretary of state shall certify to the treasurer of the state, the amount paid to the several treasurers of counties, for duties on commissions, by him delivered, the year preceding.

Annual certificate of duties paid on commissions. 1825, 286, § 2.

SECT. 6. It shall be his duty to distribute the laws, when published, to such corporations, officers and other persons, as the legislature may direct.

Distribution of the laws.

SECT. 7. It shall be the duty of the secretary, and acting secretary, in person, or by his deputy, to make out and present to the governor and council, under the seal of the state, a commission for every person, who shall be appointed or elected to any office, which, by the constitution or laws, requires a commission, in order that the same may receive the signature of the governor.

To prepare commissions for the governor's signature.

SECT. 8. It shall be the duty of the secretary of state to enter in a book kept by him for that purpose, the time when, and by whom, every commission is taken from his office, and also the time when any certificate of qualification for any office as aforesaid shall be filed, or left at his office to be filed, and certify, by himself or his deputy, the truth of such entries, when thereto required.

Registry of commissions delivered and certificates of qualification filed.

SECT. 9. All bills, passed by both branches of the legislature to be engrossed, shall be engrossed under the special direction of the secretary of the state, for the use of the legislature, and their further action thereon.

Bills to be engrossed under his direction.

SECT. 10. Whenever a commissioner of the treasury is appointed, pursuant to the provisions in the sixth section of chapter eight, the secretary of state and the attorney general, or two impartial citizens, to be appointed by warrant under the hand and seal of the governor, as soon as practicable, after either of the events in said sixth section shall happen, having given notice to the sureties, or any two of them, or the late treasurer, or the treasurer to be superseded, shall take a true account and inventory of all moneys, notes, books of account and other property, belonging to the state, which were in the hands of such treasurer, or of any of his agents, and deliver the same to such person as is appointed to discharge the duties of treasurer, he giving a receipt therefor, which shall be lodged in the secretary's office.

What proceedings to be had when a commissioner of the treasury is appointed. 1820, 165, § 3.

SECT. 11. It shall be the duty of the secretary, when directed, to furnish the several cities, towns and plantations in the state, with

Blank election returns to be

## CHAP. 7.

furnished to  
towns.  
1833, 84.

blank forms for election returns, when not taken and received for by the members of the legislature, or by some other person, by the written request of one or more of the officers of the said cities, towns or plantations, by seasonably delivering such blanks in packages, directed to such cities, towns and plantations, to the sheriffs of the several counties, to which such cities, towns and plantations, respectively belong: and such sheriffs shall forthwith deliver the same to the selectmen, assessors, or the clerks of such respective corporations, taking a receipt for the same: and if such secretary or any sheriff shall neglect his duty, in violation of this section, he shall forfeit and pay a penalty of one hundred dollars.

## CHAPTER 8.

## OF THE TREASURER OF THE STATE.

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| <p>SECT. 1. Office at the seat of government.</p> <p>2. Amount of his bond, \$150,000.</p> <p>3. Condition thereof.</p> <p>4. Bond to be left with secretary.</p> <p>5. Treasurer may be removed on complaint of sureties in certain cases.</p> <p>6. Acting treasurer, in case of vacancy.</p> <p>7. Annual statement of certain debts due the state, and of names of sureties on sheriffs' bonds.</p> | <p>SECT. 8. Warrants for assessing taxes to be transmitted to assessors.</p> <p>9. Warrants for delinquencies.</p> <p>10. Annual report of receipts and expenditures.</p> <p>11. Also of delinquent officers.</p> <p>12. Of county treasurers' accounts.</p> |
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Office at the  
seat of govern-  
ment.

Amount of his  
bond, \$150,000.  
1820, 165, § 1.

Condition  
thereof.  
1820, 165, § 1.

SECTION 1. The treasurer of the state shall keep his office at the seat of government.

SECT. 2. He shall give the bond, which is required by the constitution, in the penal sum of not less than one hundred and fifty thousand dollars, to the state of Maine, with good and sufficient sureties residing in the state.

SECT. 3. The condition of the bond shall be for the faithful discharge and performance of all the duties of his office, and for the fidelity of all persons by him employed, and entrusted with any of the concerns of such office, and that during his continuance in office, he will not engage in trade or commerce, or as a broker, agent, or factor, for any merchant or trader; and that he, or his executors, administrators, or sureties, or their executors or administrators, shall render a just and true account of all his agents' and servants' doings and transactions in the office to the legislature, or such committee as they shall appoint, on the first Wednesday of January, annually, and previous to the choice of a new treasurer, and at any other time, when required by the legislature, or the governor and council; and that he will settle and adjust said account, and faithfully deliver over to his successor in office, or to such person as the legislature shall appoint, all moneys, books, property, and appertinances of the said office, in his, or any of his agents' possession, and pay over all such balances found due, on such adjustment.