

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.

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

Augusta:

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

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1841.

day, and the time of the day, when it was so received and filed; and every such deed or instrument shall be considered as recorded, at the time such memorandum is made; and he shall suffer no deed or instrument for the conveyance of real estate to be altered, amended, or withdrawn, until it is fully recorded and examined.

CHAP. 11.

SECT. 18. Every register shall receive all copies of special attachment, made and attested by any officer, of real property situate in the county or district, of which he is register, and minute on the same the time when they are received, and keep the same on file for the inspection of those, who may be interested, and shall enter the same in a book kept for that purpose.

Of recording attachments. 1838, 344, § 3.

SECT. 19. The register of deeds in each county, in which there is but one register, shall keep his office in the shire town of the county.

Office to be kept in shire town.

CHAPTER 12.

OF THE CHOICE, POWERS AND DUTIES OF COUNTY TREASURERS.

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| <p>SECT. 1. Present treasurers to continue in office.</p> <p>2, 3. Time and mode of choice.</p> <p>4. Oath, bond, and tenure of office.</p> <p>5. In certain cases to be appointed by the county commissioners.</p> <p>6. Persons disqualified from holding the office.</p> <p>7. Of the treasurers disbursements, accounts and compensation.</p> <p>8. To enforce county taxes.</p> <p>9, 10. His duty, as to bills of cost against the state.</p> <p>11. Of his commissions. Balance to be paid to the state treasurer.</p> <p>12. Penalty for his neglect of duty.</p> <p>13. Balance still to be paid over.</p> <p>14, 15. Annual accounts to be rendered to the governor and council.</p> <p>16. Account to include commissions.</p> <p>17. Statement of financial concerns of the county to be published, annually.</p> | <p>SECT. 18. Of duties paid on the admission of attorneys.</p> <p>19. Registry of all fines and bills of costs.</p> <p>20. Penalty for neglect of rendering accounts to the governor and council.</p> <p>21. Schedules of securities taken for fines, &c. on liberation of poor convicts.</p> <p>22. Copy of sheriffs' account to be transmitted to the secretary of state.</p> <p>23. Treasurer's account to be transmitted to the secretary of state, with the county estimates.</p> <p>24. To account for money or effects of the county, annually.</p> <p>25. Expenses of keeping poor convicts in prison.</p> <p>26. Treasurer to account for money received of the United States for use of jails.</p> |
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SECTION 1. Each county treasurer now in office shall continue to hold it, till his successor shall be appointed, or chosen, and qualified according to law.

Present treasurers to continue in office.

SECT. 2. In each county, there shall be annually chosen on the second Monday of September, by the ballots of such persons, as are by the constitution authorized to vote for representatives in the several towns, some person resident in such county, for a county treasurer.

Time and mode of choice. 1821, 99, § 1.

SECT. 3. The meetings for the election of county treasurers shall be notified, held, and all proceedings therein regulated, returns made, and proceedings thereon had, as provided in section three of chapter eleven, for the election of register of deeds.

Same subject. 1821, 99, § 1.

CHAP. 12.

Oath, bond and tenure of office. 1821, 99, § 1. 8 Mass. 275.

SECT. 4. The person having a majority of the votes, and accepting the office, shall be sworn to the faithful discharge of the trust before said commissioners, or any two justices of the peace, and give bond, with sufficient sureties, approved by the commissioners, in writing, under their hands, on said bond, in such penal sum as the commissioners shall order, to the clerk of the commissioners in the same county, and to his successor in that office, and shall hold his office for one year, and till a successor shall be chosen and qualified as above mentioned.

In certain cases to be appointed by the county commissioners. 1821, 99, § 1.

SECT. 5. If no person shall have a majority of all the votes returned, or if any person chosen shall decline to accept the office, and also in case of a vacancy in the office from any cause, said commissioners may appoint a suitable person of the county to that office, who, having accepted the trust, given bond, and being duly sworn as prescribed in the preceding section, shall be treasurer for the remainder of the year, and until some person shall be chosen and qualified as provided in this chapter.

Persons disqualified from holding the office. 1821, 99, § 4.

SECT. 6. No person holding the office of attorney general, or attorney for the state within the county, nor any justice of the district court, clerk of said court, or sheriff of said county, shall hold the office of county treasurer.

Of the treasurer's disbursements, accounts and compensation. 1821, 99, § 2.

SECT. 7. The treasurer shall apply all moneys received by him for the use of the county, in defraying the expenses of it, as the county commissioners, the district court, and the supreme judicial court, shall, according to law, by their written order, direct; and each treasurer shall account with the commissioners of the county, of which he is treasurer, for all receipts and payments, and they may allow him a reasonable compensation for his services.

To enforce county taxes. 1821, 99, § 3.

SECT. 8. Each county treasurer is empowered to enforce the payment of all county taxes, assessed by direction of law, by the same rules, which are prescribed for the state treasurer to observe in enforcing the payment of state taxes.

His duty as to bills of cost against the state. 1821, 82, § 5.

SECT. 9. Every county treasurer shall, within two months after the rising of the supreme judicial court, transmit to the state treasurer an account on oath, charging the state with all bills of costs taxed and allowed by said court, and by the district court, when holden in the county whereof he is treasurer, and the certificate of the clerk of said courts shall be a sufficient voucher.

Same subject. 1821, 99, § 5.

SECT. 10. The costs in all civil actions, in the name of the state, on scire facias, or other process, which may be paid before execution issued, shall be paid to the clerk of the court where the suit is pending, and by him be paid over, without any deduction, to the treasurer of the county, who shall account for, and pay the same to, the state treasurer, as in case of adjustment of accounts by county treasurers, of fines, penalties, forfeitures and costs, in criminal cases.

Of his commissions. 1821, 82, § 5.

SECT. 11. He may charge a commission of five per cent. on all fines, forfeitures and costs, received and paid by him, and shall give credit for all fines, forfeitures and costs, accruing to the state, and by him received, and pay the balance due to the state, if any, to the treasurer thereof.

Balance to be paid to the state treasurer. Penalty for his

SECT. 12. For the neglect of any duty required in the three

preceding sections, he shall forfeit and pay a sum not exceeding one hundred dollars, to the use of the state, to be recovered in an action of debt; and on requirement of the state treasurer, the attorney general shall prosecute such action, forthwith, to final judgment and execution.

SECT. 13. Such county treasurer, notwithstanding the recovery of such penalty, shall be held to pay the balance of such fines, forfeitures and costs, into the treasury of the state.

SECT. 14. Each county treasurer shall also make out and exhibit, on the third Wednesday of January, annually, to the governor and council, a general account of his proceedings, crediting the state for all moneys by him received by warrants on the treasury, or for fines, forfeitures and costs, and from whom, and charging the state for all payments made before that time; and the balance due, if any, he shall credit to the state, in a new account.

SECT. 15. He shall, at the same time, transmit, as aforesaid, an account of all sums due, and the persons to whom, on bills of costs, taxed and allowed by the supreme judicial court or district court, and account for all fines, forfeitures and bills of costs, within his county, belonging to the state, and then unpaid, and from whom they are due. And he shall exhibit such other statements, accounts and returns, as the governor and council may require.

SECT. 16. The amount charged by the treasurer for his commissions, as prescribed in the eleventh section of this chapter, shall be included in the accounts required to be rendered to the treasurer of the state.

SECT. 17. It shall be the duty of each county treasurer to publish, annually, in the month of January, in some newspaper in the county, if any there be, to be designated by the county commissioners, otherwise in the public newspaper of the printer to the state, a full and fair statement of the financial concerns of the county, of which he is treasurer, with the items of receipts and expenditures.

SECT. 18. He shall pay over to the treasurer of the law library association in the same county, all moneys, received of persons admitted as attorneys in the district court, and shall, annually, file in the state treasurer's office, before the second Wednesday of January, a list of the names of the persons, who paid the same.

SECT. 19. Each county treasurer shall enter, in a book kept for that purpose, an account of all fines, forfeitures and bills of costs, accruing to the state, and which shall, from time to time, be certified to him by the clerk of the judicial courts of the county, and shall note in said book, when all or any part of said sums shall be paid.

SECT. 20. If any county treasurer shall neglect to perform the duties required of him by the fourteenth and fifteenth sections of this chapter, he shall forfeit and pay a sum not exceeding one hundred dollars, to be recovered in the manner described in the twelfth section.

SECT. 21. Each county treasurer shall, annually at least, and within three months before the first Wednesday of January in each year, lay before the county commissioners a schedule of all notes and securities, taken by the sheriff of such county, for fines and costs, on the liberation of poor convicts from prison, and which by him had been delivered over to said treasurer.

CHAP. 12.

neglect of duty.
1821, 82, § 5.

Balance still to be paid over.
1821, 82, § 5.

Annual accounts to be rendered to the governor and council.
1821, 82, § 6.

Same subject.
1821, 82, § 6.

Accounts to include commissions.
1821, 82, § 5.

Statements of financial concerns of the county to be published annually.
1822, 183, § 3.

Of duties paid on the admission of attorneys.
1822, 192, § 2.

Registry of all fines and bills of costs.
1825, 303, § 4.

Penalty for neglect of rendering accounts to the governor and council.
1828, 396.

Schedules of securities taken for fines, &c. on liberation of poor convicts.
1830, 464, § 5.

CHAP. 12.

Copy of sheriffs' account to be transmitted to the secretary of state.
1829, 445, § 6.

Treasurer's account to be transmitted to the secretary of state with the county estimates.
1821, 97, § 2.

To account for money or effects of the county annually.
1821, 97, § 3.

Expenses of keeping poor convicts in prison.
1821, 82, § 9.

Treasurer to account for money received of the U. States for use of jails.
1821, 110, § 16.

SECT. 22. Each county treasurer, at the expense of his county, shall make out and transmit to the secretary of state, within ten days after the first day of January, annually, a true and attested copy of the account, rendered and returned to him by the sheriff of such county, showing the amount thereof retained by said sheriff, and the amount paid over to such treasurer.

SECT. 23. Every county treasurer shall prepare and deliver his account as treasurer, annually, to the close of every year, to the clerk of the county commissioners, to be by him enclosed, with the estimates for county taxes made by said commissioners, and transmitted to the secretary of state.

SECT. 24. Every treasurer, holding any money or effects belonging to his county, shall annually, and oftener if required, exhibit an account thereof to the county commissioners, for adjustment.

SECT. 25. Each treasurer may charge to the state, the several sums he shall pay from the treasury, to the jailor of the same county, for keeping and supporting poor convicts in prison, which had been allowed to him by the county commissioners, and may also charge two and a half per cent. for his services in this particular duty, and the same shall be included in his account to be rendered to the treasurer of the state as aforesaid.

SECT. 26. Each county treasurer is authorized and directed to receive, for the use of the county, all such moneys as the United States have agreed to pay for the use and keeping of county jails, and to account for the same according to law.

CHAPTER 13.**OF NOTICES OF PETITIONS TO THE LEGISLATURE.**

SECT. 1, 2. How notice of petition may be given.

SECT. 3. Either mode as valid, as if ordered by the legislature.

4. Fees of the officer.

How notice of petition may be given.
1821, 166, § 1.
8 Greenl. 365.

SECTION 1. When a petition is presented to the legislature by any corporation or individual, and the rights of other corporations or individuals may be affected by the grant of the prayer thereof, the petitioner may cause notice to be given to those interested, if known, by serving them with an attested copy of the petition, at least sixty days before the commencement of the session of the legislature, by a sheriff, deputy sheriff, coroner or constable.

Same subject.
1821, 166, § 1.

SECT. 2. When those, whose rights may be affected as before mentioned, are not known, a copy of the petition shall be published in the newspaper published by the printer to the state, three weeks successively, the last publication to be thirty days at least before the commencement of the next session of the legislature.

Either mode as valid, as if ordered by the legislature.
1821, 166, § 1.

SECT. 3. Notices, given in either of the modes before described, shall be as valid, as if ordered by the legislature after the presentment of such petition.