

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

BANGOR:
WHEELER & LYNDE.

1857.

CHAP. 7.

Office kept in
shire town.
R. S., c. 11,
§ 19.

the inspection of parties interested, and enter them in a book kept for that purpose.

SEC. 20. 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.

CHAPTER 8.

COUNTY TREASURERS.

- SEC. 1. Present treasurers to continue in office till successors are appointed.
- 2, 3. Time and mode of choice.
4. Oath, bond, and tenure of office.
5. In certain cases to be appointed by the county commissioners.
6. Persons disqualified from holding the office.
7. Of the treasurer's disbursements, accounts and compensation.
8. To enforce county taxes.
- 9, 10. His duty, as to bills of cost against the state.
11. Of his commissions. Balance to be paid to the state treasurer.
12. Penalty for his neglect of duty.
13. Balance to be paid over notwithstanding.
- 14, 15. Annual accounts to be rendered to the governor and council.
16. Account to include commissions.
17. Statement of financial concerns of the county to be published annually.
18. Of duties paid on the admission of attorneys.
19. Registry of all fines and bills of costs.
20. Penalty for neglect to render accounts to the governor and council.
21. Schedules of securities taken for fines, &c., on liberation of poor convicts, to be rendered annually to county commissioners.
22. Copy of sheriff's account to be transmitted to the secretary of state annually.
23. Treasurer's account to be delivered by him at close of year to clerk of county commissioners, to be by him transmitted to the secretary of state, with the county estimates.
24. To account for money or effects of the county, annually, to county commissioners.
25. Expenses of keeping poor convicts in prison, as allowed by county commissioners, to be charged state treasurer.
26. Treasurer to account for money received of the United States for use of jails.

Treasurers
continued in
office.
R. S., c. 12, § 1.
Chosen annu-
ally.
R. S., c. 12, § 2.

SEC. 1. Each county treasurer now in office shall continue to hold it till his successor is appointed, or chosen, and qualified according to law.

Meetings for
choice, when
and how held.
R. S., c. 12, § 3.

SEC. 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, some person resident in such county for a county treasurer.

Oath, bond,
tenure of of-
fice.
R. S., c. 12, § 4.

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

SEC. 4. The person so elected and accepting shall be duly sworn before the county commissioners of his county, or two justices of the peace, and give bond to the county for the faithful discharge of his duties in such sum, as the commissioners

order, and with such sureties as they approve in writing thereon, and he shall hold his office for one year from the first day of January thereafter, and until another is chosen and qualified in his place.

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SEC. 5. If a person so chosen declines to accept, or a vacancy occurs from any cause, said commissioners may appoint a suitable person of the county to that office, who, having accepted the trust, given bond, and been duly sworn, as prescribed in the preceding section, shall be treasurer for the remainder of the year and until another is chosen and qualified.

Vacancy supplied by county commissioners.

R. S., c. 12, § 5.

SEC. 6. No person holding the office of attorney general, or county attorney, or any justice of the supreme judicial court, clerk of said court, or sheriff of the county, shall hold the office of county treasurer.

Persons not eligible.

R. S., c. 12, § 6.

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

Treasurer to account to county commissioners.

His compensation.

R. S., c. 12, § 7.

SEC. 8. He may enforce the payment of all taxes legally assessed, in the manner prescribed by law for the treasurer of state.

Enforce payment of taxes.

R. S., c. 12, § 8.

SEC. 9. He 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, when held in his county; and as his voucher therefor, transmit one of the duplicate copies of such bills received by him from the clerk of such court.

Transmit to treasurer of state account of bills of costs.

R. S., c. 12, § 9.
1843, c. 29.

SEC. 10. The costs in all civil actions in the name of the state, on scire facias, or other process, paid before execution issues, 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 county treasurer, who shall account for and pay the same to the state treasurer, as in case of adjustment of accounts by county treasurers of fines and costs in criminal cases.

Receive bills of costs of clerk and pay to treasurer of state.

R. S., c. 12, § 10.

SEC. 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 state treasurer.

Commissions.

R. S., c. 12, § 11.

SEC. 12. For the neglect of any duty required in the three preceding sections, he shall forfeit not exceeding one hundred dollars, to the use of the state, to be recovered in an action of debt; and on requirement of the treasurer of state, the attorney general shall prosecute such action to final judgment and execution.

Penalty for neglect of duty.

R. S., c. 12, § 12.

SEC. 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 state treasury.

Held to pay the balance to treasurer of state.

R. S., c. 12, § 13.

SEC. 14. Each county treasurer shall make out and exhibit, on the third Wednesday of January annually, to the governor and council, a general account of his proceedings, crediting

Annual accounts rendered to gov-

CHAP. 8.

ernor and
council.

R. S., c. 12,
§ 14.

Exhibit
amounts due
to state and
to others.

R. S., c. 12,
§ 15.

Exhibit to
contain his
commissions.

R. S., c. 12,
§ 16.

Statement to
be published
annually.

R. S., c. 12,
§ 17.

Duties for
admission of
attorneys to be
paid to library
association.

R. S., c. 12,
§ 18.

Record of fines
and bills of
costs.

R. S., c. 12,
§ 19.

Penalty for
neglect of duty.

R. S., c. 12,
§ 20.

Annual sched-
ule of securi-
ties taken on
discharge of
prisoners, to
be rendered.

R. S., c. 12,
§ 21.

Copy of sher-
iff's account
to be transmit-
ted to secreta-
ry of state.

R. S., c. 12,
§ 22.

His account to
be transmitted
to same, with
county esti-
mate.

R. S., c. 12,
§ 23.

Exhibit an
account of
money or

the state for all moneys by him received by warrants on the treasury, or for fines, forfeitures, and costs, showing by whom paid; 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.

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

SEC. 16. The amount charged by the treasurer for his commissions, as prescribed in section eleven, shall be included in the accounts required to be rendered to the state treasurer.

SEC. 17. He shall publish, annually in the month of January, in some newspaper in the county, if any, to be designated by the county commissioners, otherwise in the state paper, a full and fair statement of the financial concerns of his county, with the items of receipts and expenditures.

SEC. 18. He shall pay over to the treasurer of the law library association in the county, all money received of persons admitted as attorneys in the supreme judicial 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.

SEC. 19. He shall enter in a book kept for that purpose an account of all fines, forfeitures, and bills of costs accruing to the state, which are, from time to time, 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 are paid.

SEC. 20. If he neglects to perform the duties required of him by sections fourteen and fifteen, he shall forfeit not exceeding one hundred dollars, to be recovered as provided in section twelve.

SEC. 21. He shall, 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 by him delivered over to said treasurer.

SEC. 22. He shall, at the expense of his county, 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.

SEC. 23. He shall annually prepare and deliver his account as treasurer, 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.

SEC. 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.

SEC. 25. He may charge to the state the several sums paid by him from the treasury to the jailer of his county, for keeping and supporting poor convicts in prison, which had been allowed to him by the county commissioners, and 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 state as aforesaid.

SEC. 26. He shall receive, for the use of the county, all money paid by the United States for the use and keeping of county jails, and account therefor according to law.

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effects of county to county commissioners.

R. S., c. 12, § 24.

Expenses of keeping poor convicts in prison.

R. S., c. 12, § 25.

Account for money received of United States for use of jails.

R. S., c. 12, § 26.

CHAPTER 9.

INDIAN TRIBES.

- SEC. 1. Agents of Indian tribes now in office to remain.
2. When a vacancy happens, how to be filled.
3. General duties of the agent of the Penobscot tribe.
4. Agents of both tribes to be sworn and to give bonds. Their duties.
5. Certain contracts void, unless allowed by the agent.
6. Limitation of leases and other contracts.
7. Agents may sue in their own names for the benefit of the Indians.
8. Agents to keep a record of proceedings and settle accounts annually with the governor, &c.
9. No foreigner to be permitted to take timber, &c., from the township reserved for the Passamaquoddy tribe.
10. Of the islands, &c., belonging to the Penobscot tribe. Agent of the Penobscot tribe to place avails of leases, &c., in state treasury. Amount to be at agent's risk, if he sell or lease on credit.
11. Survey of islands from Oldtown falls to Mattawamkeag point, and estimates to be made by the land agent.
12. What shall be designated upon the plans. Lots assigned for cultivation and for public farm.
13. How the lots shall be located.
14. Agent of the Penobscot tribe to give to each Indian a certificate of his lot. Form.
15. No Indian to sell or lease his lot nor commit waste.
16. Of the public lands. Agent to have land cleared and buildings erected.
17. Agent to employ a superintendent to manage the farm and take care of the infirm and orphans.
18. He may lease reserved privileges for mills, booms and fisheries.
19. Survey and assignment of lots on the point of Oldtown island.
20. Same subject. Restrictions on transfers.
21. Appropriation of the interest on the amount of four townships purchased of the Penobscot Indians, and of other moneys and rents.
22. Agents of the Passamaquoddy tribe may sell timber and grass on township number two on St. Croix river. Surveyor of such timber to be sworn.
23. Appropriation of \$1,000 annually to the Passamaquoddy Indians.
24. How distributed.
25. Same subject.
26. Salary of the agent.
27. Warrants drawn for certain purposes.
28. Penalty for selling spirituous liquors to Indians.