

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1835.

AUGUSTA:
WILLIAM J. CONDON,.....PRINTER.

1835.

FIFTEENTH LEGISLATURE.

NO. 36.

HOUSE.

STATE OF MAINE.

IN THE YEAR OF OUR LORD, ONE THOUSAND EIGHT HUNDRED AND THIRTY-FIVE.

AN ACT providing for the election of County Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That on the second Monday of September next, there shall be chosen in each County within this State, by the written votes of such persons as are qualified by the Constitution to vote for Representatives in the several towns and plantations, and cities of Portland and Bangor, three discreet, suitable persons, inhabitants of said County, as County Commissioners. The

11 persons so voted for, shall be severally designat-
12 ed on the ballots, as First Commisioner, Sec-
13 ond Commissioner, and Third Commissioner.
14 The votes for such Commissioners, shall be
15 counted and sorted in town or plantation meet-
16 ing, by the Selectmen or Assessors thereof, and
17 the town or plantation Clerk. The names of
18 each person voted for, and the number of votes
19 given for him, shall be recorded in the town or
20 plantation book. An attested copy of such rec-
21 ord shall be transmitted under seal, to the Clerk
22 of the Courts of the County, who shall lay the
23 same before the County Commissioners at their
24 next meeting, subsequent to said election. At
25 such meeting, the said returns shall be opened
26 and compared by the said Commissioners to-
27 gether with the County Attorney and Clerk.
28 The person having a majority of votes for First
29 Commissioner, shall be Chairman, and shall
30 hold his office for three years, and until another
31 shall be chosen and qualified in his place. The
32 person having a majority of votes for Second
33 Commissioner, shall hold that office for two
34 years, and until another shall be chosen and
35 qualified in his stead. The person having a
36 majority of votes for Third Commissioner, shall

37 hold that office for one year and until another
38 shall be chosen and qualified in his stead. On
39 the day of election of State Officers, in the year
40 eighteen hundred and thirty six, and annually
41 thereafter, one Commissioner shall be chosen in
42 the above manner, in each County, to fill the
43 place of the one whose term shall expire at that
44 time, and shall hold his office for three years,
45 and until another shall be chosen and qualified in
46 his stead. Each Commissioner chosen agreea-
47 bly to the provisions of this Act, shall be quali-
48 fied to act as such, by being sworn before the
49 County Attorney or Clerk to the faithful dis-
50 charge of the duties of his office. Whenever
51 any vacancy shall happen by the removal from
52 the County, death, failure in electing of any
53 Commissioner, or by the election of the second
54 or third Commissioner, to be First Commission-
55 er, or in any other way, it shall be the duty of
56 the remaining Commissioners or Commissioner
57 to issue a warrant, directed to the Selectmen of
58 the several towns, and Assessors of the several
59 Plantations in the County, requiring them to
60 warn a meeting of the persons in their several
61 towns and plantations, qualified to vote as above
62 for the choice of such Commissioner or Com-

63 missioners, on the day of the next annual elec-
64 tion of State or Town officers, whichever may
65 first happen. And the person or persons so
66 elected, shall hold their offices, respectively, for
67 so much of the term of the Commissioners in
68 whose place they shall be elected, as shall re-
69 main unexpired. If the places of all the Com-
70 missioners shall be vacant at one time, the Clerk,
71 or in case he shall be absent, or his office vacant,
72 the County Attorney shall issue a warrant, for
73 an election as aforesaid. Every thing in this
74 Act applicable to the Selectmen of towns, shall
75 be applicable to the officers who perform the
76 duties of Selectmen, in the cities of Portland
77 and Bangor.

SECT. 2. *Be it further enacted,* That the
2 County Commissioners elected agreeably to the
3 provisions of this Act, shall in their respective
4 Counties, have, exercise, and perform all the pow-
5 ers, authorities and duties, which by law are now
6 exercised and performed by the County Com-
7 missioners.

SECT. 3. *Be it further enacted,* That the
2 first section of an Act, entitled "An additional
3 Act, directing the method of laying out and
4 making provision for the repairs and amendment

5 of highways, and providing for the appointment
6 of County Commissioners," passed on the tenth
7 day of March, in the year of our Lord, one
8 thousand eight hundred and thirty one, and all
9 Acts and parts of Acts, inconsistent with the
10 provisions of this Act, shall be, and the same
11 hereby are repealed. This Act shall take ef-
12 fect from and after the twentieth day of August
13 next, but the County Commissioners then in of-
14 fice, shall continue to act as such, and till others
15 are chosen and qualified under this Act.

STATE OF MAINE.

**HOUSE OF REPRESENTATIVES, }
February 28, 1835. }**

This Bill, (laid on the table by Mr. Curtis, of Freedom,) was read twice, and Tuesday next assigned for a third reading, and three hundred copies ordered to be printed for the use of the Legislature.

(Extract from Journal.)

Attest,

JAMES L. CHILD, CLERK.