

# MAINE STATE LEGISLATURE

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*Charles F. Rice*  
DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1840.

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AUGUSTA:

WM. R. SMITH & CO., PRINTERS TO THE STATE.

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1840.

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**TWENTIETH LEGISLATURE.**

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**NO. 28.**

**HOUSE.**

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**A N A C T**

**RELATING TO**

**COUNTY OFFICERS.**

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[WM. R. SMITH & Co.....Printers to the State.]



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STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND FORTY.

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AN ACT for the election of certain County  
Officers.

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SECT. 1. *Be it enacted by the Senate and*  
*2 House of Representatives in Legislature*  
*3 assembled,* That there shall be chosen in each  
*4 County within this State, on the second Mon-*  
*5 day of September next, by the written votes of*  
*6 such persons as are by the Constitution qualified*  
*7 to vote for Representatives in the several cities,*  
*8 towns and plantations, three persons for County*  
*9 Commissioners, one for Clerk of the Courts,*  
*10 and one for County Attorney, being residents of*  
*11 the County; the votes to be counted and sorted*  
*12 in the city, town or plantation meeting in like*  
*13 manner as is provided for the choice of Repre-*  
*14 sentatives, the names of the persons voted for,*

15 and the number each person had, shall be  
16 recorded by the Clerk in the city, town or plan-  
17 tation book, and an attested copy of such record  
18 shall be transmitted under seal to the next Court  
19 of County Commissioners to be holden within  
20 said County on the first day of its sitting, if said  
21 Court has its usual sitting before the first Mon-  
22 day in December then next, and if not, a special  
23 sitting shall be had on that day, then to be  
24 opened, and compared with the returns from the  
25 several towns and plantations in the County;  
26 and the person having a majority of votes for  
27 either of said offices, after being duly sworn,  
28 shall continue in such office, the County Com-  
29 missioner having the highest number of votes,  
30 three years, the County Commissioner having  
31 the next highest number of votes, two years,  
32 and the County Commissioner having the smal-  
33 lest number of votes, one year; the Clerk of  
34 the Courts three years, and the County Attor-  
35 ney three years; and if any two or more County  
36 Commissioners shall have an equal number of  
37 votes, it shall be determined by lot, which shall  
38 hold the longer term; and if upon comparing  
39 the votes returned, no person shall have a major-

40 ity of the votes, or the person chosen shall die,  
41 or resign, or remove out of the County before  
42 the term for which he was chosen shall have  
43 expired, then, and in such case, the Governor  
44 with advice of Council, shall appoint some suit-  
45 able person to fill the vacancy until another is  
46 chosen in his place.

SECT. 2. *Be it further enacted,* That there  
2 shall be chosen in like manner as is provided in  
3 the first section of this Act, one County Com-  
4 missioner in each County in this State, in one  
5 year from the second Monday of September  
6 next, to hold his office for three years, and one  
7 on the second Monday of September every year  
8 thence following; and in three years from the  
9 second Monday of September next, and every  
10 three years thence following, there shall be  
11 chosen in like manner as is provided in the first  
12 section of this Act in each County in this State,  
13 a Clerk of the Courts and a County Attorney,  
14 to hold their offices as is provided in said first  
15 section; and in all cases of election under this  
16 Act, the officers so chosen shall enter upon their  
17 duties on the first Monday of January next,  
18 after they are elected.

# STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
March 3, 1840. }

This Bill having been read twice, was laid on the table, and three hundred copies ordered to be printed for the use of the Legislature.

[Extract from the Journal.]

ELBRIDGE GERRY, *Clerk*