

# MAINE STATE LEGISLATURE

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# **PUBLIC ACTS**

OF THE

# **STATE OF MAINE,**

PASSED BY THE

## **FOURTH LEGISLATURE,**

AT ITS SESSION, HELD IN JANUARY, 1824.

PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28<sup>TH</sup> JUNE, 1820.



PORTLAND:

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1824.

## CHAPTER CCLIII.

AN ACT additional to the act for the regulation of Innholders, Retailers and common Victuallers.

*BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That all licenses which are or shall be granted to Innholders, Retailers and common Victuallers, in the several towns and plantations in this State, on the second Monday of September, annually, or on any subsequent day, shall continue in force until the second Monday of September next ensuing, any law to the contrary notwithstanding.

Term licenses shall continue.

[*This Act passed February 12, 1824.*]

## CHAPTER CCLIV.

AN ACT to provide for the sale and distribution of Ministerial and School lands.

*SECT. 1. BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That in all cases where lands have been granted or reserved for the use of the ministry, or the first settled minister in any town in this State, where the fee in such lands has not already become vested in some particular parish within such town, or in some individual, the fee and estate in such lands shall be, and is hereby declared to be vested in the inhabitants of such town, and not in any particular parish therein, for the use and support of the Gospel Ministry in said town forever. And in all cases where lands have been granted or reserved for the use of schools in any town within this State, the fee in which lands is not already otherwise vested, the same shall be, and is hereby declared to be vested in the inhabitants of such town, for the use and support of schools therein forever.

Fee in Ministerial and School Lands how vested in the several towns.

*SECT. 2. Be it further enacted,* That the Selectmen, Town Clerk and Treasurer, for the time being, of every town in the State, wherein no other Trustees for the same purpose are already by law appointed, shall be, and they hereby are constituted

Selectmen, Town-Clerk & Treasurer to be Trustees, where none otherwise appointed,

and declared to be a body corporate, and Trustees of the Ministerial and School funds in such towns forever; with power to prosecute and defend suits at law; to have a common seal and to change the same at pleasure; to make any by-laws for the management of their affairs, not repugnant to the laws of the State; and with all the other powers heretofore granted or incident by law to such corporations. And said Trustees shall annually elect a President, Clerk and Treasurer; and the Treasurer shall give bond, with sufficient sureties, in the opinion of the Trustees, for the faithful discharge of his trust, and the Clerk shall be sworn to the faithful performance of his duty.

and constitu-  
ed a body pol-  
itic.

SECT. 3. *Be it further enacted*, That said Trustees shall have power to sell and convey all the ministerial and school lands belonging to their respective towns, lying within the same, excepting such parts as may have been already vested in the manner described in the first section of this act. And any deed duly executed by the Treasurer of said Board, by direction of said Trustees, shall be good and effectual in law, to pass the estate described in such deed of conveyance. And the proceeds of such sale shall be, as soon as may be, put at interest by said Trustees, and secured by mortgage of real estate to double the value of the amount at interest; or by bond or note, with sufficient sureties, or invested in Bank stock, or public securities: *Provided however*, That when any such town shall settle a minister, all lands granted or reserved for the first settled minister, or the proceeds of the sale there of as aforesaid, shall pass to, or be paid over to, such first settled minister of such town, under the terms and conditions of the original grant. And said Trustees are further empowered to take, hold and possess any estate, real or personal, by gift, grant or otherwise, for the use of the ministry in their several towns, the yearly income whereof shall not exceed one thousand dollars; and to take, hold and possess any estate, real or personal, by gift, grant or otherwise, for the support of schools.

Trustees may  
sell ministerial  
and school  
lands and put  
proceeds at in-  
terest.

Proviso for se-  
curing rights  
of first settled  
minister.

Trustees may  
take and hold  
estate for use  
of ministry &  
schools.

in their several towns, the yearly income whereof shall not exceed the sums their respective towns are obliged by law to raise for the support of schools therein. And said Trustees are further authorized, with the consent of their respective towns, at a legal meeting, called for that purpose, to lease such lands or real estate, or any parts or parcels thereof, on such terms and conditions as said towns may prescribe, the rents and profits to be applied to the uses herein prescribed.

May lease real estate in certain cases.

Rents and profits how to be distributed among the several ministers.

SECT. 4. *Be it further enacted,* That the annual rents and profits of said lands granted or reserved for the use of the ministry, and the interest accruing from the monies arising from the sale of the same, or from leases thereof; and the rents, profits and income of the estate, real or personal, taken, holden and possessed by gift, grant or otherwise, for the use of the ministry as aforesaid, shall be annually apportioned among, and paid to, the several regular Gospel ministers who may officiate to the several parishes or religious societies, having their places of public worship fixed within said town or parish, and producing certificates of their officiating as aforesaid, from the Clerks of such parishes or societies, in proportion to the number of rateable polls in said parishes or societies, who may be resident within such town, on the first day of May annually, to be ascertained by a list of such members, to be made out and certified by the Clerk of such parish or religious society, and delivered to the Town Clerk in the month of May annually; and in default of such list so made out, certified and delivered as aforesaid, the minister of such parish or society shall receive no part of such income or interest that year. And all monies not demanded by any such minister before the day of the annual meeting for the choice of town officers, shall be added to, and become a part of, the principal fund aforesaid. And the annual rents and profits of said school lands, if leased as aforesaid, as well as the interest accruing from the monies arising from the sale thereof, according to the provisions aforesaid; and the rents, profits

Monies not demanded by ministers to be added to fund.

and income of the estate, real or personal, taken, holden and possessed by gift, grant or otherwise, for the support of schools as aforesaid, shall be annually apportioned among, and expended in, the several school districts in each town, according to the number of scholars contained in each district, between the ages of four years and of twenty-one years.

Rents and profits how distributed among school districts

SECT. 5. *Be it further enacted,* That said Trustees shall at each annual meeting of their respective towns for the choice of town officers, exhibit a fair account of their proceedings, and a statement of the funds, and receipts and expenditures thereon, and of the application thereof to the several uses hereby required.

Trustees to exhibit accounts, &c. annually to towns.

SECT. 6. *Be it further enacted,* That in all cases where lands have become vested in any parish in this State, the Assessors, Clerk and Treasurer of such parish for the time being, where no other Trustees for the same purpose are already by law appointed, shall be, and they are hereby constituted and declared to be a body corporate, and Trustees of the ministerial funds in such parish forever; with the same powers, under the same restrictions, and subject to the same liabilities in selling such ministerial lands, and managing the proceeds thereof in the same manner as the Selectmen, Treasurer and Clerk of towns; and the said Trustees shall pay the annual rents and profits of said ministerial lands, and the interest accruing from the sale of the same, or from leases thereof, to the ministers of such parish yearly; and shall at each annual meeting for the choice of parish officers, exhibit to the parish a fair account of their proceedings, and a statement of the funds, receipts and expenditures thereon.

Assessors, &c. of parishes constituted corporate bodies for same purposes as Selectmen, &c.

SECT. 7. *Be it further enacted,* That the powers granted by this act may be enlarged, restrained or annulled, at the pleasure of the Legislature. And any one of the Trustees hereby created, may call the first meeting of said Board, by giving personal notice to all the others, of the time and place of meeting, seven days at least prior to said meeting.

Powers restricted.

First meeting.

[*This Act passed February 12, 1824.*]