

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

THIRTEENTH LEGISLATURE,

At its Session, held in January, 1833.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA :

I. BERRY & CO. PRINTERS TO THE STATE.

1833.

Duty of Secretary of State.

ing the returns of the several Banks, made on the said first Mondays of January and June in each year, as soon as practicable, to cause a true abstract of said returns to be printed, each column therein being footed up, and shall transmit a copy of said abstract by mail to the Cashier of each Bank, incorporated by authority of the State.

Impressions from Perkins's plates shall not be issued after the 1st day of October next, unless &c.

SECT. 3. *Be it further enacted*, That, from and after the first day of October next, no bills of the denomination of Five Dollars or over, impressed from Perkins stereotype plate, shall be issued by any Bank, unless they also bear upon the back of them the impress of the Perkins stereotype check plate.

Banks may issue Bills from other plates.

SECT. 4. *Be it further enacted*, That besides the Perkins stereotype bills, now allowed by law to be used, it shall be lawful for any bank to issue bills of such other plates of finer engravings, superior workmanship and greater security against counterfeits, as may, from time to time, be allowed and approved by the Bank Commissioners of the State, by their certificate in writing.

Sections of former Acts repealed.

SECT. 5. *Be it further enacted*, That the second section of an act, passed the eighth day of March one thousand eight hundred and thirty two, entitled an Act in addition to an Act to regulate Banks and Banking, and the twenty fourth section of an act, passed the thirty first day of March one thousand eight hundred and thirty one, entitled an Act to regulate Banks and Banking, be and the same are hereby repealed.

[*Approved by the Governor, March 4, 1833.*]

Chapter 81.

AN ADDITIONAL ACT regulating Elections.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That, if the Selectmen of any town or a

majority of them, or if the Assessors of any plantation or a majority of them, shall be absent from any meeting of their town or plantation, duly warned for the choice of Governor, Senators, Representatives to the State Legislature or to Congress, Register of Deeds or County Treasurer, or being present at such meeting shall refuse or neglect to act as such, and to perform the duties required of them in receiving the votes of the electors, sorting, counting and declaring the same, it shall be lawful for the electors, at such meeting, to make choice of so many Selectmen or Assessors, *pro tempore*, as shall be necessary to supply the places of those absent or neglecting or refusing to act and perform their duties as aforesaid. And it shall be the duty of any of the Selectmen of such town or Assessors of such plantation, and in case of their neglect, or refusal or absence, it shall be the duty of the town or plantation clerk to preside in such meeting, and perform all the duties, with all the rights of a moderator, during the choice of such officers, *pro tempore*. And said Selectmen or Assessors, *pro tempore*, having accepted the trust, shall be sworn faithfully to discharge the duties of their said office in all things pertaining to said meeting and election, and in making record and return thereof, as the law and constitution may require, and, in all things relative to said meeting, election, record and return, shall have and exercise all the rights, and be subject to all the duties and liabilities of standing Selectmen or Assessors of such town or plantation.

Selectmen and Assessors *pro tempore* may be chosen in certain cases.

Duty of Selectmen, Assessors and Clerks.

Selectmen and Assessors *pro tempore* shall be sworn &c.

SECT. 2. *Be it further enacted*, That if any of the Selectmen or Assessors of any town or plantation, whether standing or *pro tempore*, shall wilfully neglect or refuse to act, or to perform any of the duties required of them, relative to the election of any of the officers above named, or relative to record and return thereof; he or they so offending shall forfeit and pay to the use of the State a penalty, not more than Five Hundred nor less than

Penalty incurred by said officer for not performing the duties prescribed by this Act.

One Hundred Dollars, and suffer imprisonment not longer than nine nor less than three months, or either of said punishments according to the aggravation of the offence.

SECT. 3. *Be it further enacted,* That whenever the qualified electors of any town, not being classed with any other town or plantation, shall not, by the judgment and decision of the Selectmen thereof, succeed, at the annual meeting, held on the second Monday of September, in making choice of the Representative or Representatives to the State Legislature, to which such town may be entitled, it shall be the duty of such Selectmen to declare such judgment and decision to the meeting on that day, within a reasonable time after declaring the votes on the last trial, and likewise to give notice to said meeting, that, in their judgment, further trial to make a choice cannot conveniently be had on that day; of which decision and notification thereof to the meeting the clerk shall make a record: *Provided,* however, that a new balloting shall not be commenced at a later hour than six o'clock in the afternoon. And thereupon the said meeting shall be considered to be adjourned, and by force of this Act is adjourned, to the Monday then next ensuing, at the same hour of the day at which, by the warrant, the meeting was convened on said second Monday of September, of which adjournment said Selectmen shall make proclamation to the meeting. And at said adjournment, further trial or trials shall be had, and if, in the judgment of the Selectmen, no choice shall then be effected, like proceedings as herein before prescribed shall be had, and the meeting shall be considered as further adjourned to the next ensuing Monday at the hour before named, and so onward, from Monday to Monday, until the choice be effected and declared.

SECT. 4. *Be it further enacted,* That whenever the Selectmen of any town, not classed, shall be duly notified, or whenever it shall come to their

When no choice of Representative or Representatives to the State Legislature shall be effected on the 2d Monday of Sep. what proceedings shall be had.

knowledge that the seat of any Representative thereof has been vacated by death, resignation or otherwise, it shall be their duty forthwith to issue their warrant, giving seven days notice at least, for a meeting of the qualified electors of said town to choose some person to supply such vacancy. And if no choice be effected on the day of such meeting, the said meeting shall stand adjourned from week to week, to the same day of the week and to the same hour of the day, designated in the warrant for calling such meeting, in like manner as provided in the third section of this Act.

SECT. 5. *Be it further enacted,* That whenever in any district, the Selectmen of the oldest town, or the Assessors of the oldest plantation of said district, if there be no town therein, shall be duly notified, or whenever it shall come to their knowledge that the seat of the Representative of such district has been vacated as aforesaid, it shall be the duty of such Selectmen or Assessors to appoint a day for another election to supply such vacancy, and notify the same to the Selectmen and Assessors of the other towns and plantations in said district. And in the appointment of such day regard shall be had to the length of time requisite for warning the necessary meetings. And if, in the judgment of a majority of the Selectmen and Assessors met to compare the lists of votes given on such trial, no choice shall have been effected, notice may be given for new meetings to be held just three weeks from the time of said first meeting, and so onward, from three weeks to three weeks, until a choice shall have been effected.

Duty of Selectmen of Towns not classed.

In case of vacancy the Selectmen of the oldest town &c. in the district shall appoint a day for an election to fill such vacancy.

If no choice shall be effected at such meetings, what proceedings shall be had.

[Approved by the Governor, March 4, 1833.]