

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-THIRD LEGISLATURE

OF THE

S T A T E O F M A I N E ,

A. D. 1843.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.  
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AUGUSTA:

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

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1843.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1843.

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**ERRATA:**

**The following leaf is  
inserted because one or more pages  
in this chapter have errors  
noticed and corrected here.**

# STATE OF MAINE.

SECRETARY'S OFFICE,  
Augusta, June 10, 1843. }

I HEREBY CERTIFY, That the acts and resolves contained in this pamphlet, have been compared with the originals deposited in this office, and that they appear to be correctly printed, with the exceptions mentioned in the *errata* hereunto annexed.

PHILIP C. JOHNSON, *Secretary of State.*

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## ERRATA.

### PUBLIC LAWS.

- Page 45, chap. 6, first line, for "hereafter," read "hereinafter"  
47, " 9, second line of sect. 3, for "rail" read "rail road"  
59, " 21, ninth line from top, after "shall" insert "also"  
70, " 31, third line from bottom of sect. 3, after "shall" insert "not"  
73, " 33, fourth line from bottom of sect. 3, before "companies" insert "the"  
74, " 33, sect. 4, sixteenth line, for "military duty" read "duty"

### PRIVATE AND SPECIAL LAWS.

- Page 87, chap. 81, third line of sect. 4, for "low" read "log"  
93, " 83, third line, for "Dolbier" read "Dolliver"  
96, " 88, second line from the top, after "as" insert "the"  
96, " 89, first line, for "James" read "Thomas"  
125, " 113, third line from the bottom of sect. 2, for "advise" read "advice"

### RESOLVES.

- Page 169, chap. 146, sixth line of preamble, for "said" read "such"

CHAP. 113.

be expressed in the policy, that insurance is made subject to the lien created by law, and shall also be recorded in the registry of deeds of the county wherein the estate insured may be.

If member, &c. neglect to pay deposit and assessments, liable to a suit therefor.

SECT. 8. If any member of said corporation, obtaining insurances subject to the lien aforesaid, or in case of his decease, his legal representatives shall neglect for thirty days, next after the demand made to pay the deposit money or any assessment, he or they shall be liable to a suit of the corporation therefor in an action of the case, in any court of competent jurisdiction; and the said corporation having obtained judgment and execution therefor, may cause such execution at their election, to be satisfied by sale and conveyance of the interest of the insured, in the building insured and land under the same appurtenant thereto: *provided*, the officers having such execution, shall advertise the same in like manner as is provided by law, for the sale of equities of redemption of real estate mortgaged; saving to the owners thereof the right of redeeming the same, at any time within one year, by paying the purchaser or his assignee the sum at which it was sold, with twelve per cent. interest thereon, deducting therefrom the rents and profits over and above the repairs and taxes.

Execution, how satisfied.

Proviso.

Redemption.

SECT. 9. Any two of the persons named herein, are authorized to call the first meeting by advertising the same two weeks successively, in the newspaper printed at Saco.

First meeting, how called.

SECT. 10. The powers granted by this act, may be enlarged, restrained or annulled, at the pleasure of the legislature.

Subject to legislature.

[*Approved March 22, 1843.*]

### Chapter 113.

AN ACT authorizing the establishment of school district libraries in the town of Kennebunk-port.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

School district libraries in Kennebunk-port.

SECT. 1. The inhabitants of the town of Kennebunk-port are hereby authorized to establish school district libraries in the several school districts of the town respectively. And any school district in said town that may vote at their annual meeting, or at a meeting called for that purpose, to establish a district library within the same, may choose a librarian by ballot, and at their annual meeting, annually thereafter. They may also choose a trustee who shall receive

To be established by vote of district.

Librarian.

Trustee.

any books or other property in donation to their district library, and deliver the same to the librarian.

SECT. 2. All property of such library in books, or appurtenances thereof, shall be vested in the librarian for the time being, so far as to enable him to maintain any action in relation to the same; and it shall be the duty of the librarian to preserve such property and keep the same in good repair, and the expense incurred for any such object under the provisions of this act, shall be paid by the school agent of such district, out of any money that may be in his hands or at his disposal for the use of the district: *provided*, the librarian shall first use the funds belonging to the library, if any there be in his hands, *and provided further*, that, in any one case involving an expenditure of a sum over one dollar, he acts with the advise or approbation of the superintending school committee of the town, or in pursuance of a vote of the district meeting.

Property vested in librarian for certain purposes.

Duty of librarian.

Expenses.

Proviso.

Further proviso.

SECT. 3. A set of general regulations respecting the use and preservation of any library in any school district, shall be established by such district, subject however to such alterations and amendment as the superintending school committee of the town may make or deem advisable, with a view to a uniform system of rules in the several districts of the town. And a copy of said regulations shall be furnished the librarian of such library, to be open to any person who may have the right to use the books of such library, which regulations shall be obligatory upon all persons having charge of such library, or using or possessing any of the books thereof, and no person shall have the right to use or possess any book of such library, not resident within the limits of the school district where such library may be. Said regulations shall, at least, prescribe the number of volumes to be taken by any one person at any one time, or during any time, the periods of their return, and the fines that may be imposed by the librarian for not returning, losing, or destroying any of the books, or for soiling, defacing or injuring them. They shall also prescribe the delivery of the library and appurtenances thereof, by the librarian to his successor in office.

Regulations.

Subject to the superintending school committee.

Copy to be furnished librarian, to be made public.

Use of library.

Subjects to be comprised in the regulations.

SECT. 4. All fines imposed by the librarian, may be recovered in an action of debt, in the name of the librarian, for the benefit of the library, of the person on whom they are imposed, except such person be a minor, in which case they may be recovered of the parent or guardian of such minor, unless notice in writing shall have been given by such parent or guardian to the librarian, that they will not be responsible for any books delivered such minor, and persons with whom minors reside shall be liable for them, in the same

Fines, how recovered, how applied.

Minors.

Parents and guardians liable, unless previous notice to the contrary has been given, &c.

## CHAP. 113.

Remedy for person aggrieved.

manner and to the same extent, in cases where the parent or guardian of such minors do not reside within the district. Any person aggrieved by any decision or act of the librarian, may appeal to the superintending school committee of the town for redress, and their decision and award thereon, including all expense incurred in the case, shall be final.

Liabilities of librarians.

SECT. 5. The librarian of any school district library, shall be liable to his successor in office for any neglect or omission in relation to his charge or care of any district library, by which any book thereto belonging may have been lost, or injured, or other damage sustained, to the amount of such loss, injury or damage, in an action of the case to be brought by his successor in office.

Librarian subject to supervision and control of superintending school committee.

SECT. 6. The librarian of any district library shall be subject to the supervision of the superintending school committee of the town, in all matters relating to the duties of his office, and they may remove him from office for neglect of duty, or whenever they shall have reason to apprehend injury to the property of the library by his misconduct. And whenever a vacancy shall exist in the office of librarian, in any district library, a librarian may be appointed by said committee, until the election of a librarian by the legal voters of the district, who may hold a special meeting, duly notified, for that purpose. And it is hereby made the duty of said committee, to perform all the duties required of them by this act, or which they may be authorized to perform, as the interest of any district library may require, and especially in any case in any district, upon the application of two or more persons resident within such district.

Vacancy, how supplied.

Duty of committee.

Certain portion of school money may be appropriated for library.

SECT. 7. Any school district, at their annual meeting, a majority of all the legal voters in such district voting therefor, may appropriate and expend a part of their school money for the enlargement, or improvement of their district library, not however exceeding ten per cent. of the amount appropriated for the use of schools in such district in any one year, *provided*, an article shall have been inserted in the notice calling such meeting by the written request of at least three or more legal voters of such district, specifying the object of such expenditure.

Proviso.

[Approved March 22, 1843.]