

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-FOURTH LEGISLATURE

OF THE

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

A. D. 1844.

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

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1844.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1844.

CHAP. 90.

Chapter 90.

AN ACT additional to an act to regulate the jurisdiction and proceedings of the court of probate in the county of Lincoln.

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

Additional court of probate established in Lincoln county.

Towns that compose the district.

Registry located at Thomaston. Court, where holden.

Appointment of judge and register.

Salaries.

Time when jurisdiction of present court ceases in new district.

SECT. 1. From and after the passage of this act, there is hereby established a court of probate within and for the eastern district of the county of Lincoln, in addition to the one already established in said county, subject to all the provisions and regulations of the law to which this is additional ; the said eastern district to be composed of the towns of St. George, Cushing, Friendship, Thomaston, Warren, Union and Washington, and the registry office to be located at West Thomaston. The court shall be held semi-annually in the towns of St. George, Cushing, Warren, Union and Washington.

SECT. 2. There shall be, in the manner the constitution directs, some able and learned person appointed judge, and also some suitable person, register, of probate, within and for the district aforesaid ; said judge to receive for his services an annual salary of one hundred dollars ; and said register an annual salary of one hundred and fifty dollars, subject to the provisions of an "act establishing salaries for judges and registers of probate," so far as the same are not inconsistent with the establishment of the additional court aforesaid.

SECT. 3. From and after the passage of this act, the jurisdiction of the present court of probate, for the county of Lincoln, shall cease over the territory embraced in said eastern district ; *provided, however,* that no provision of this act shall be construed so as to affect any business already commenced in the probate court now established in said county of Lincoln.

[Approved February 29, 1844.]

Chapter 91.

AN ACT in relation to schools in certain plantations.

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

Powers of plantations organized for election purposes, enlarged for the establishment of schools.

SECT. 1. All plantations within this state, which are now, and which may hereafter be, organized for election purposes only, are hereby vested with the same powers, and shall be subject to the same duties, of other plantations within the state, so far as the same relate to the erection of school districts, and the apportionment and expenditure of any monies, which they now are, or may hereafter

be, entitled to receive as their proportion of any bank tax, or which may arise from any act of bounty on the part of the state.

SECT. 2. The clerks of the said several plantations, organized for election purposes only, shall perform the duties of treasurer of their respective plantations; and, in that capacity, each of said clerks shall be entitled to receive any and all moneys, which, of right, may belong to his plantation, whether the same be deposited in the treasury of the county within which his plantation may be situate, or which is now remaining, or may hereafter accrue, in the state treasury; the apportionment thereof, among the said plantations, to be made according to their respective population, to be ascertained and determined by a census to be taken and completed, by the assessors thereof, on or before the first day of May next; one copy of which, by them duly certified, shall be made and returned by the assessors of each plantation to the treasurer of the several counties within which their respective plantations may be situated, and to the treasurer of state, on or before the first day of June next: Provided, however, no plantation which does not border upon the Aroostook river, and which had no inhabitants living thereon in the year one thousand eight hundred and forty, shall be entitled to receive any portion of any money, which has heretofore been appropriated for the benefit of schools in townships bordering upon the said Aroostook river. And each of said clerks shall apportion and pay out the same to the several school districts within his plantation, according to the number of scholars therein: Provided, always, each of said clerks, before entering upon the discharge of the duties of the office of treasurer, shall give to the assessors of his plantation a good and satisfactory bond for the faithful performance of his duties.

SECT. 3. The assessors of said plantations shall issue their warrant for the calling of district meetings in their respective plantations, in the same manner that selectmen of towns are authorized to issue their warrants for the calling of district meetings in their respective towns; and the said plantation school districts shall have power to choose all district officers, which school districts in towns now have; and said officers shall have the same powers and be subject to the same duties, of school district officers in towns.

SECT. 4. The assessors of said plantations shall have power to commence and prosecute to final judgment, in their official capacity, a suit at law, on any bond given to them or their predecessors in office, whenever any condition in said bond shall be broken.

SECT. 5. The county commissioners, for the county in which such lands are situated, are hereby authorized to permit the said

Clerks to act as treasurers.

To receive all moneys belonging to such plantations.

Apportionment of certain funds, how made.

Copy of census to be returned to county treasurer and treasurer of state.

Proviso.

Said clerks to apportion and pay out such moneys.

Proviso. Bond.

Assessors to call district meetings.

Power of plantation officers.

Violated bonds to be prosecuted by assessors.

Co. commissioners authorized to permit said clerks to act as treasurers.

CHAP. 92.

Proceeds of sales of grass how appropriated and apportioned.

plantation clerks, in their capacity of treasurers, to cut and dispose of any grass, which may grow on any lands, reserved for public uses, in their respective plantations, provided the same may be done without injury to said lands or to the public interest. And the proceeds of the sales of the said grass shall be appropriated for the support of schools in the respective plantations in which the said lands may lie; and shall be apportioned in the same manner as is provided for the apportionment of other moneys in the second section of this act.

SECT. 6. All acts and parts of acts, inconsistent with the provisions of this act, are hereby repealed.

[Approved February 29, 1844.]

Chapter 92.

AN ACT to repeal in part an act entitled "an act relating to appeals from county commissioners," approved March fourteenth, one thousand eight hundred and forty-two.

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

Certain sections of the R. S. relative to appeals from Co. commissioners repealed. Proviso.

SECT. 1. The first, second, third, fourth and fifth sections of an act entitled "an act relating to appeals from county commissioners," approved March fourteenth, eighteen hundred and forty-two, are hereby repealed; but this repeal shall not take effect upon any appeal taken pursuant to the provisions of said sections prior to the passage of this act.

SECT. 2. This act shall be in force and take effect from and after its approval by the governor.

[Approved March 6, 1844.]

Chapter 93.

AN ACT in addition to the seventeenth chapter of the revised statutes.

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

Power of school districts to raise money, and for other purposes.

Any school district where more than one school is necessary to accommodate the scholars in said district, shall have power to raise money for the purpose of erecting, repairing, renting, purchasing and removing such a number of school houses as the wants of said district may require, and of purchasing land on which the same