

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

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

Augusta:

WILLIAM T. JOHNSON,.....PRINTER TO THE STATE.

1846.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1846.

SECT. 12. The secretary of the board of education shall receive an annual salary of one thousand dollars, payable in quarterly payments, which shall be in full for all services and expenses of said office.

CHAP. 196.

—secretary.

SECT. 13. The board of education, at such times as they may appoint, shall make up their pay roll for travel and attendance, which, when examined and allowed by the governor and council, shall be paid to them, out of any money in the treasury not otherwise appropriated.

Pay roll audited by governor and council.

SECT. 14. For the purpose of providing for the organization of the first board of education, the governor, with the advice of council, is hereby authorized to appoint, before the first day of August next, a provisional school agent for the state, whose duty it shall be to communicate with the superintending school committees of the several towns respecting the duties required by this act, to make such arrangements as may be necessary for the first county meetings herein provided, and to obtain, from the returns now in the office of the secretary of state, and from other sources, such information respecting the actual condition of common schools within this state, as may be usefully laid before the county meetings, and the board of education, at their first organization, to enable them to enter without delay, upon the discharge of their duties. The duties of such agent shall continue until the board of education is organized; and he shall receive therefor such compensation as shall be allowed by the governor and council, not exceeding two hundred and fifty dollars.

Provisional school agent.

—duties.

—compensation.

SECT. 15. This act shall take effect from and after its approval by the governor.

[Approved July 27, 1846.]

Chapter 196.

An Act imposing further penalties upon town officers.

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

SECTION 1. Whenever the aldermen of cities, selectmen of towns, or assessors of plantations, shall neglect to issue their warrant, as required by law, for any meeting to be holden for the choice of state or county officers, or representatives to the legislature of this state, or to the congress of the United States, or of electors of president and vice president of the United States, they shall forfeit and pay

Aldermen, selectmen or assessors—penalty for neglect to issue their warrant.

CHAP. 197. the sum of fifty dollars each, to the city, town or plantation wherein the neglect occurred. Said fine shall be recovered in an action of debt, to be prosecuted by the treasurer of the city, town or plantation; or by any citizen thereof when said treasurer shall be a member of the delinquent board.

Penalty for neglect of any constable, or other person, legally required to summon qualified voters.

SECT. 2. If any constable, or other person, when legally required, shall neglect to summon the qualified voters of any city, town or plantation, to assemble at any meeting for the choice of any officers mentioned in section first, or to make due return of the warrant under which such service was performed, he shall forfeit and pay, the sum of twenty-five dollars, to the city, town or plantation, for each and every such neglect; to be recovered as is provided in section first.

Penalty of city, town or plantation officers for neglect of duty.

SECT. 3. Any city, town or plantation officer who shall neglect to perform any duty which he is by law required to perform, shall forfeit a sum not exceeding twenty dollars, for every such neglect, to be recovered in the manner, and to the uses provided in the first section of this act; *provided* that this section shall not apply to any neglects for which a penalty is provided by any law now in force.

[Approved July 29, 1846.]

Chapter 197.

An act for the prevention and punishment of the willful and malicious obstruction of rail roads.

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

Penalty for willful and malicious obstructions of rail roads.

SECTION 1. If any person shall willfully and maliciously displace or disadjust any railway switch or rail, of any rail road, or shall break down, rip up, injure or destroy any rail road track or rail road bridge or any portion thereof, or place any obstruction whatever on any such rail or rail road track or bridge, with intent that any person or property passing on and over such rail road should be injured thereby, and thereby putting in jeopardy human life, every person so offending shall be punished by solitary confinement in the state prison, for a period not less than thirty days, and by confinement afterwards, to hard labor, for a period not less than five years, according to the degree and aggravation of the offense.

SECT. 2. If in consequence of any such willful and malicious displacing, disadjusting, breaking down, ripping up, injuring, des-