

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1852.

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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:  
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1852.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1852.

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**Chapter 241.**

**CHAP. 241.**

An act to repeal an act entitled "an act to amend chapter fourteen of the revised statutes," approved August eighth, one thousand eight hundred and forty-eight.

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

The sixty-second chapter of the public laws of eighteen hundred and forty-eight, entitled "an act to amend chapter fourteen of the revised statutes," is hereby repealed; and the twelfth and thirteenth sections of chapter fourteen of the revised statutes, as they existed prior to the passage of said act, are hereby revived in full force.

Estimates of county taxes, when made.

[Approved April 9, 1852.]

**Chapter 242.**

An act to regulate the rule of evidence in certain cases.

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

SECT. 1. No statement or testimony contained in any deposition taken in perpetuum, shall ever be received as evidence in any case against the deponent or his interest, or any one claiming under him.

Depositions in perpetuum not to be used against deponent.

SECT. 2. This act shall take effect at its approval.

[Approved April 9, 1852.]

**Chapter 243.**

An act in addition to an act "to provide for the education of youth."

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

SECT. 1. Any two or more school districts, in any town in the state, may unite for the purpose of establishing and maintaining a system of graded free schools, whenever a majority of legal voters present and voting at a meeting of the inhabitants of each district legally called for the purpose, shall so determine.

Graded free schools may be established.

SECT. 2. Whenever two or more school districts, in any town have voted to unite for the purpose and in the manner named in the first section of this act, the clerk of each of said districts shall forthwith furnish the town clerk of the town in which

Duty of clerks in such case.

CHAP. 244.

Rights and liabilities of district.

Towns, not authorized to divide school districts without consent.

Inhabitants, authorized to raise additional school money.

Not to exceed three fifths of amount apportioned to district.

Acts inconsistent repealed.

said districts are situated, with a certified copy of such votes, and the town clerk shall enter said votes upon the records of such town, and from and after such record, such districts shall constitute one district, to be known by such name or title as the inhabitants thereof shall adopt, and shall have all the rights and powers and be subject to all the liabilities of other school districts.

SECT. 3. After two or more school districts have united as provided for in the foregoing sections of this act, the town in which such districts are situated, shall not have power to alter or divide the same, without the consent of a majority of the voters of such district.

SECT. 4. The inhabitants of any district organized under this act, are hereby authorized, at their annual district meeting, to raise such sum of money, in addition to their proportion of the school money raised by the town, as may be necessary for the support of the public free schools within said district ; but the additional amount so raised by such district in any year, shall not exceed three-fifths of the amount apportioned to said district from the school money raised by the town for the same year.

SECT. 5. All acts and parts of acts inconsistent with the foregoing are hereby repealed.

SECT. 6. This act shall take effect and be in force from and after its approval by the governor.

[Approved April 9, 1852.]

## Chapter 244.

An act relating to executors.

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

SECT. 1. In all cases where the last will and testament of any person deceased, has been or shall be presented to any judge of probate in this state for approval and allowance, and the same shall have been proved, approved and allowed by such judge of probate, and letters of administration shall have been duly issued to the executor therein named, and he has given bonds according to law, it shall be lawful for such executor (unless the judge for good cause shall otherwise order) to proceed in the settlement of such estate notwithstanding an appeal

Executors to settle estates, notwithstanding appeal from probate court.