

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.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1852.

pending, shall be entered and have day in the next law term of said court, held within and for said district. CHAP. 293.

SECT. 2. All motions for new trials or reviews, where the ground of the motion is the alleged discovery of new evidence, in any action now pending, or which may hereafter be pending in any court, may be filed in the office of the clerk of said court, therein stating the substance of said new evidence, and the names of the witnesses, by whom the allegations are to be proved, under oath, either in term time or in vacation; and if in term time, said notice shall be given the adverse party, as the court shall order; but if in vacation, the adverse party shall be served with a true and attested copy of said motion, fourteen days at least, before the sitting of said court; and the same shall be heard and tried in the same manner, as are petitions for reviews.

Motions for new trials, &c.

Notice in term time, how given.
Notice in vacation, how given.

SECT. 3. This act shall take effect and be in force, from and after the thirtieth day of April, in the year of our Lord one thousand eight hundred and fifty-two.

[Approved April 26, 1852.]

Chapter 293.

An act establishing a commissioner of common schools in each county in the state.

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

SECT. 1. The governor and council shall annually appoint a commissioner of common schools in each county of the state, who shall severally hold their offices for the term of one year commencing on the first day of May, annually.

Commissioners, appointment of, &c.

SECT. 2. It shall be the duty of each school commissioner to spend at least fifty days (during the term of the winter schools) in visiting the towns in his county, for the purpose of promoting by addresses, inquiries and other means, the cause of common school education, and annually to make a report to the legislature, of his doings under this act, of the character of teachers, and of the order and condition of the schools and school houses in his county, together with all such other information and suggestions as his experience and observation may enable him to offer, calculated to advance the cause of popular education.

Duties.

Report to the legislature.

CHAP. 294.

SECT. 3. The power of recommending and determining upon the proper school books to be used in the public schools, being vested in the superintending school committees, any interest in, or agency from any publishing house either directly or indirectly by any of said school commissioners shall be deemed inconsistent with the duties of said office, and if any commissioner shall be found so interested or engaged, he shall forfeit his said office and be deemed ineligible to reappointment.

Commissioners not to act as book agents.

Penalty.

Compensation for services.

SECT. 4. The compensation of the school commissioners shall be fixed at the sum of two hundred dollars each, to be paid at the expiration of their said term of office, such sum to be in full for all services rendered and expenses incurred, and the governor is hereby authorized to draw his warrant on the treasury for the same.

Commissioners, qualification of.

SECT. 5. The school commissioners shall severally be sworn to the faithful performance of their respective duties before any magistrate authorized to qualify civil officers.

Inconsistent acts repealed.

SECT. 6. All the sections of an act approved August twenty-seventh, in the year of our Lord one thousand eight hundred and fifty, establishing teachers' institutes, a board of education and secretary, and also all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 7. This act shall take effect from and after April thirtieth, eighteen hundred and fifty-two.

[Approved April 26, 1852.]

Chapter 294.

An act additional to prevent the destruction of Moose and Deer.

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

Moose wardens, appointment of.

SECT. 1. There shall be appointed by the governor by and with the advice of the executive council, one moose warden for each of the counties of Oxford, Franklin, Somerset, Penobscot, Piscataquis, Aroostook and Washington, who shall give bond to the treasurer of state, conditional, to discharge faithfully and impartially the duties of their office, with good and sufficient sureties, in the penal sum of five hundred dollars; and each of said wardens may be allowed to appoint deputies not exceeding two for each county, and each of said deputies shall be required to give bond to the warden appointing him,

Bond.

Deputies.

Bond.