

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1853.

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

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

1853.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.

1853.

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words "until such notice shall be given," so that such section as amended will read as follows: "The undivided real estate of any deceased person may be assessed to the heirs or devisees of such person, without designating any of the heirs or devisees by name until they have given notice to the assessors of the names of the several heirs or devisees. And until such notice shall be given, each heir or devisee shall be liable for the whole of such tax, and shall have a right to recover of the other heirs, or devisees, their respective portions thereof, when paid by him, and in an action for that purpose, the undivided shares of such heirs or devisees in the estate upon which such tax has been paid, shall be liable to be taken on execution, whether at the time, the same belongs to the defendants in said action or otherwise.

Taxes on real estate of deceased persons, how assessed.

SECT. 3. This act shall take effect from and after its approval by the governor.

[Approved February 17, 1853.]

### Chapter 8.

An act to abolish the criminal court in the county of Lincoln.

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

SECT. 1. That so much of the act in the sixteenth section of chapter two hundred and forty-six, passed April ninth, eighteen hundred and fifty-two, as provides for the transaction of criminal business in the county of Lincoln, at the courts held on the first Tuesday of March, second Tuesday of August, and last Tuesday of November, is hereby repealed.

Criminal court in Lincoln county abolished.

SECT. 2. All the criminal business in the county of Lincoln, now under the jurisdiction of the court for the transaction of the same, shall be transacted by the court having civil jurisdiction at the term thereof, held in said county on the fourth Tuesday of January, and on the fourth Tuesday of October in each year.

Criminal business to be transacted by the court having civil jurisdiction.

SECT. 3. All actions of every description now pending in said criminal court, and all processes returnable to said court, are transferred to the supreme judicial court, next to be held in said county on the fourth Tuesday of October next; and the present grand jury shall attend at said term; saving all the rights of parties in all actions and matters now pending in said court, as fully and as effectually as if this act had not passed.

Of actions now pending.

CHAP. 9. SECT. 4. This act shall take effect from and after its approval by the governor.

[Approved February 22, 1853.]

### Chapter 9.

An act further regulating school returns, and the distribution of the state school funds.

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

School returns, time of making.

SECT. 1. The superintending school committees of the several cities, towns and plantations, shall make the returns required by law to be made by them to the office of secretary of state on or before the first day of April in each year.

—may be made by assessors or clerks of plantations.

SECT. 2. In any plantation where no superintending school committee has been elected, the assessors or clerk may make the required returns.

Secretary of state to notify, when returns have not been received.

SECT. 3. In case the returns from any city, town or plantation shall not be received at the office of the secretary of state in the month of April, he shall on the first day of May notify the committees of the delinquent cities, towns and plantations of the deficiency on their part.

—to furnish state treasurer with a list of scholars.

SECT. 4. The secretary of state shall ascertain annually, on the first day of June, from the returns of the several school committees, the number of children between the ages of four and twenty-one years, in the several cities, towns and plantations from which returns have been received, and furnish a list thereof to the state treasurer.

Treasurer of state to apportion school funds.

SECT. 5. The treasurer shall, immediately after the first day of June, apportion to the several cities, towns and plantations, the state school funds for the year, from whatever source derived, according to the list furnished to him by the secretary of state, subject, however, to the provisions of the following section.

Basis of apportionment, when returns shall not have been received.

SECT. 6. In case any city, town or plantation, shall not have made the returns required by law in season to be embraced in the list returned by the secretary of state to the treasurer, the number of scholars belonging to said city, town or plantation, assumed as the basis of the next preceding apportionment, deducting so many as may have been set off to any other town or incorporated into any new town within the year, and also deducting one-tenth part of the remainder, shall be the basis of the new apportionment, so far as regards said city, town or plantation.