

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE,

1855.

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

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1855.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1855.

writ may run into any county, and shall be served on the defendant CHAP. 187.
fourteen days at least before its return day.

SECT. 29. All precepts, warrants, venires and processes issued from said municipal court, shall be tested in like manner as similar processes in the supreme judicial court, and shall be made under the seal of the municipal court, and signed by its recorder. Precepts, &c.,
how tested.

SECT. 30. The city marshal, either himself or by one or more deputies or other officer, shall be in attendance at each session of the municipal court, and under its direction. City marshal,
duty to attend
municipal court.

SECT. 31. An act approved March twenty-fifth, eighteen hundred and thirty-nine, entitled "An act to abolish the municipal court of the city of Bangor, and establish a police court for said city," article three of the ninety-eighth chapter of the revised statutes, entitled "police court in Bangor," an act approved March third, eighteen hundred and forty-one, entitled "An act additional to an act to abolish the municipal court of the city of Bangor, and establish a police court for said city," and an act approved March tenth, eighteen hundred and forty-two, entitled "An act additional to the several laws now in force respecting the police court of Bangor," and all acts and parts of acts inconsistent with this act, are hereby repealed. Certain acts
repealed.

SECT. 32. This act shall take effect from and after the first day of June, A. D. eighteen hundred and fifty-five.

[Approved March 17, 1855.]

Chapter 187.

An act to incorporate and endow the Maine State Agricultural Society, and more fully prescribing the powers and duties of agricultural and horticultural societies.

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

SECT. 1. S. L. Goodale, Thomas Mabry, Darius Forbes, E. G. Buxton, Elijah Barrell, Samuel F. Dyke, Ezekiel Holmes, Ephraim Maxim, B. F. Buxton, Nathan Foster, Oliver Gould, B. F. Eastman, James G. Waugh, S. W. Coburn, William Folsom, William G. Clark, Horace McKenney, Lowell Marston, William R. Hersey, John Allen, William D. Dana, J. Wingate Carr, D. A. Fairbanks, their associates, successors and assigns be, and they are hereby created a corporation by the name of the Maine State Agricultural Society, with power by that name to sue and be sued, use a common seal, make by-laws for the management of their affairs, Incorporators.

Corporate nam

CHAP. 187. not repugnant to the laws of the state, and to hold and exercise all the powers and privileges incident to similar corporations.

Executive committee and term of office.

First meeting, how called.

SECT. 2. The incorporators named in this act, are hereby constituted an executive committee of said society, and shall hold their offices until the third Wednesday of January next. Messrs. Goodale, Holmes and Coburn, shall be a committee to call the first meeting of this society, by giving suitable notice in some one or more of the Portland, Augusta and Bangor papers, which meeting shall be within three weeks from the passage of this act.

Organization and officers.

SECT. 3. At the first meeting of this society, and at each annual meeting, on the third Wednesday of January, thereafter, the said committee shall organize by the choice of president, secretary, treasurer, and such other officers as may be deemed necessary, and seven members shall constitute a quorum for the transaction of business.

May hold real and personal estate.

SECT. 4. Said society may take and hold property, real and personal, to an amount the annual income of which shall not exceed two thousand dollars, to be applied exclusively to the advancement of agriculture, horticulture and the arts connected therewith. And the treasurer of said society shall give suitable bonds for the safe keeping of said property, and for the faithful discharge of his duties.

Amount to be received from the state treasury.

SECT. 5. There shall be paid from the treasury of the state each year during the next five years after the passage of this act, as many dollars as may be raised by said society by assessment on the members thereof, or otherwise, not exceeding one thousand dollars in each year; and the governor and council on presentation of a certificate signed by the treasurer of said society, and countersigned by the president thereof, stating the amount of money thus raised and actually received, as the property, and for the benefit of said society, shall draw their warrant for a like amount as above specified.

—how applied.

SECT. 6. The moneys received from the state shall be paid in premiums for the encouragement of the various departments of agriculture, horticulture and the arts connected therewith; and full and correct statement of such expenditure, together with the reports of the several committees, and the statements of the several competitors shall be annually transmitted to the legislature, through the secretary of the society.

Annual reports to be transmitted to the legislature.

Society, affairs of, how managed.

SECT. 7. The several presidents of the county agricultural societies who are members of the state society, shall be ex-officio vice-presidents thereof, and the executive committees shall have a general supervision of the affairs and doings of the said state society, and recommend from time to time such regulations as they may deem expedient for the furtherance and accomplishment of its several

objects, and to investigate all such subjects relating to improvement in agriculture and horticulture in this state, as they think proper, and report the same to the legislature, through their secretary, on or before the third Wednesday of January, annually.

CHAP. 187.

Society, annual report of.

SECT. 8. The executive committee shall meet at the state house in Augusta, on the third Wednesday of January, yearly, and they are hereby empowered to annually elect a suitable person to act as secretary of the state society, and to prescribe and determine his duties, and in case of vacancy by death or otherwise, the governor, with advice of his council, be and is hereby empowered to fill the vacancy. And all reports and returns now required by law to be made by the several agricultural and horticultural societies, shall be made and returned to the secretary of this society; the governor and council shall determine his compensation, which compensation shall not exceed eight hundred dollars per annum.

—annual meeting.
—secretary, how chosen, &c.

Reports and returns of agricultural societies, how made.

Secretary, compensation of.

SECT. 9. The executive committee of this society is hereby established to consist of one member from each of the incorporated agricultural and horticultural societies in this state; said members shall hold their offices for one year from the third Wednesday of January in each year. And said societies shall elect said members by ballot, at their annual meetings for the choice of society officers; and they shall receive a certificate of their election signed by the president and secretary of such societies; they shall be paid eight cents per mile, as mileage, out of the funds of the state society; other compensation, if any, shall be paid by the several societies sending them; and they shall, in all cases, be members of both the state society and the society sending them.

Executive committee established.
—term of office.

—how elected.

—travel and expenses, how paid.

SECT. 10. The treasurer of state is hereby authorized and directed to pay to the treasurer of any county agricultural or horticultural society, whenever any such treasurer shall apply for the same, in conformity with the conditions hereinafter specified, a sum equal to that raised and actually received as the property, and for the benefit of such society, within the next preceding year, and not exceeding, in cases where there are three such societies in a county, one hundred and fifty dollars to each of them; where there are two, and only two, two hundred dollars to each of them; and when there is only one such society in a county, three hundred dollars.

Annual payment from the state to agricultural societies.

SECT. 11. None of the aforesaid payments shall be made till the treasurer of such society shall file with the state treasurer a certificate, on oath, therein specifying the amount raised and actually paid in as the property and for the benefit of said society; and also, a certificate from the secretary of the state agricultural

Condition of payment by the state.

CHAP. 187. society, therein specifying that said society has complied with all the requirements of section fourteenth of this act.

Premiums to be offered by such society.

SECT. 12. Every agricultural and horticultural society which shall receive the said allowance from the state treasury, shall offer annually, by way of premiums, for the encouragement or improvement of agriculture, horticulture or manufactures, a sum not less than the amount annually received from the state treasury.

—how applied.

SECT. 13. No agricultural or horticultural society availing itself of the benefit of this act, shall have the power to confine their premiums to their own members, but shall bestow them on any person residing within the limits of such society, who shall produce the best specimens: *provided*, that in all cases in which a premium or premiums shall be awarded to any person who is not a member of such society, there shall be deducted from the said premium or premiums so awarded, for the benefit of said society, a sum equal to the annual assessments upon the members thereof.

Proviso.

Application for, and payment of, bounty.

SECT. 14. It shall be the duty of every agricultural and horticultural society, applying for the bounty of the state, to require of all competitors for premiums, to fill up the blanks furnished by the secretary of the state agricultural society for such purposes, by answering all the questions therein proposed, to the best of their knowledge and belief, and present the same to the several awarding committees, with their applications for premiums; and said committees shall file all such returns with their list of awards, and return them to the treasurer of such society; and no such treasurer shall pay any such premiums that may be awarded by such committees, which are not accompanied by such returns as above specified.

Conditions of payment.

Annual returns, &c., how made, &c.

SECT. 15. It shall be the duty of the treasurers of all agricultural and horticultural societies, within seven days after receiving the returns from the several awarding committees, as provided for in the thirteenth section of this act, to place the same in the hands of the secretary of such society, with a list of the premiums awarded by said committees and all other expenditures of said societies; and said secretary shall annually, on or before the second Wednesday in November, forward to the secretary of the state agricultural society, said lists, blanks and returns thereon, with a true copy of all other expenditures, retaining copies thereof for the use of said society, except those relating to field crops and fruits, which may be returned on or before the first Wednesday of January in each year; and the secretary of the state agricultural society, on the receipt and examination of such lists, blanks and returns thereon,

Secretary of State Agricultural Society to furnish certificates to such societies.

shall furnish the treasurer of such society with the certificate required in section eleventh of this act; and no society failing to comply with the conditions above specified, shall be entitled to draw any moneys from the state treasury.

CHAP. 187.

Societies failing to comply not entitled to money from the state.

SECT. 16. All incorporated agricultural and horticultural societies may, by their officers, define and fix bounds of sufficient extent, for the erection of their cattle pens and yards, and for convenient passage-ways to and about the same, on the days of their cattle shows and exhibitions, and also for their plowing matches, and trials of working teams, within which bounds no person shall be permitted to enter or pass, unless in conformity with the regulations of the officers of said societies respectively.

—may make regulations for cattle shows, &c.

SECT. 17. If any person shall, contrary to the regulations of the said officers, and after notice thereof, enter or pass within the bounds so fixed, he shall forfeit a sum not exceeding five dollars, to be recovered on complaint in behalf of the state, in any court competent to try the same, for the use and benefit of such society.

Penalty for violating regulations.

SECT. 18. The foregoing provisions shall not authorize such societies to occupy or include within the bounds which they shall fix for the purposes aforesaid, the land of any person, without his consent, nor to occupy any turnpike, or public highway, in any such manner as to obstruct the public travel.

Lands not to be occupied without consent of owner, &c.

SECT. 19. The officers of any such society may appoint a sufficient number of suitable persons, inhabitants of the county, to act as marshals at cattle shows and exhibitions; and they shall have and exercise all the powers of constables, in relation to the preservation of the public peace and enforcing the rules and regulations of said society, within the towns, respectively, where such shows and exhibitions may be held; and they shall exercise their said office from twelve o'clock at noon, the day preceding the commencement of such shows or exhibitions, and until twelve o'clock at noon of the day succeeding the termination thereof, and no longer.

Marshals may be appointed, &c.

SECT. 20. The secretary of the state agricultural society is hereby required to report annually to the legislature, giving a statistical account of the finances of all the agricultural and horticultural societies in this state, together with a condensed statement of all such reports of committees and statements of competitors as may be deemed useful to the public, and cause to be printed, at the expense of the state, a sufficient number of copies to furnish each member of all the county societies who shall have paid their annual assessment, and each member of the legislature with one copy; also, one copy to the oldest public or social library in each town,

Annual report to the legislature.

—printing and distribution of.

CHAP. 188. provided application be made therefor, by its librarian, previous to the first day of October:

Blanks to be prepared.

SECT. 21. The secretary of the state agricultural society is hereby empowered and required to prepare and cause to be printed, and distributed to the secretaries of the several agricultural and horticultural societies in the state, the several blanks required by this act.

Acts repealed.

SECT. 22. All acts and parts of acts relating to agricultural and horticultural societies, and board of agriculture, now in force, except those granting charters to agricultural and horticultural societies, are hereby repealed.

SECT. 23. This act shall take effect from and after its approval by the governor.

[Approved March 17, 1855.]

Chapter 188.

An act regulating the suffrage of naturalized citizens.

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

Naturalization papers, to be exhibited to town or city authorities three months prior to election.

SECT. 1. No person of foreign birth who shall claim the right to vote by reason of naturalization papers issued to him from any court in the United States, shall have the right to vote in any city, town or plantation in this State, unless three months, at least, before the day of election, he shall produce and exhibit to the aldermen, selectmen, or assessors of the city, town or plantation in which he resides and has his home, his said naturalization papers. And the said aldermen, selectmen, and assessors, shall enter in a book to be kept by them for that purpose, the name of said person, the date of the issue of the papers, and the court by which the same was issued. And if it shall appear to said aldermen, selectmen, or assessors, that said papers were in due form, and were issued by a court having jurisdiction of said matters, and that the person producing them is the party to whom they were issued, they shall cause his name to be entered on the check list of such city, town or plantation, and to be continued on said list so long as he shall remain a resident of such city, town or plantation, and entitled to vote therein.

—record of to be made.

Name of person to be entered on check list.

If papers be not genuine, &c., party not entitled to vote.

SECT. 2. If said aldermen, selectmen, or assessors, shall be of opinion that the papers so produced are not genuine, or that the party so producing them, is not the person to whom they were issued,