

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1856.

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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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1856.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1856.

Chapter 236.

An act more fully prescribing the power and duties of agricultural societies.

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

Treasurer of state, authorized to pay to treasurers of agricultural societies certain sums. Amounts limited.

SECT. 1. The treasurer of state is hereby authorized and directed to pay to the treasurer of any agricultural 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 by any 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 where there is only one such society in a county, three hundred dollars; in case a society is made up of parts of two counties, one hundred and fifty dollars.

Certificates to be filed with state treasurer.

SECT. 2. None of the aforesaid payments shall be made until the treasurer of such society shall file with the state treasurer, a certificate on oath, therein specifying the amount raised and actually paid in to said society, and also a certificate from the secretary of the board of agriculture, that said society has complied with all the requirements of section fifth of this act.

Premiums, amount to be awarded annually.

SECT. 3. Every agricultural society which shall receive the said allowance from the state treasury, shall award annually by way of premiums, or shall apply otherwise at their discretion, for the encouragement or improvement of agriculture or manufactures, a sum not less than the amount annually received from the state.

Blanks furnished by the secretary of board of agriculture, required to be filled.

—and presented to awarding committees. Committees to file returns.

SECT. 4. It shall be the duty of every agricultural 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 board of agriculture, for such purpose, 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 application for premiums; and said committees shall file all such returns with their list of awards, and return the same 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.

Treasurers, duties of.

SECT. 5. It shall be the duty of the treasurers of all agricultural societies, within seven days after receiving the returns

from the several awarding committees, as provided for in the fourth 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 such committees, so far as practicable; the amount of such premiums, together with such other expenditures as may be made in conformity to section third; and said secretary shall annually, on or before the third Wednesday in November, forward to the secretary of the board of agriculture, said list, blanks and returns thereon, retaining copies thereof for the use of said society, except those relating to field crops and fruits, which shall be returned on or before the first Wednesday of December in each year; and the secretary of the board of agriculture, on the receipt and examination of such lists, blanks and returns thereon, shall furnish the treasurer of such society with a certificate required in section second of this act; and no society failing to comply with the conditions above specified shall be entitled to draw any money from the state treasury.

Secretary, duties of.

Secretary of board of agriculture, duties of.

SECT. 6. All incorporated agricultural 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 trial 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 society respectively.

Regulations may be established by societies on days of exhibitions.

SECT. 7. If any person shall, contrary to the regulations of 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 violation of such regulations.

SECT. 8. 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.

Limitation of such regulations.

SECT. 9. The officers of any such society may appoint a sufficient number of suitable persons, inhabitants of the county, to act as constables 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

Constables, appointment of.

--powers of.

--term of office.

CHAP. 237. exercise their office from twelve o'clock at noon the day preceding the commencement of such shows and exhibitions, and until twelve o'clock at noon of the day succeeding the termination thereof, and no longer.

Inconsistent
acts repealed.

SECT. 10. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

[Approved April 1, 1856.]

Chapter 237.

An act to regulate the succession of trusts in certain cases.

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

Succession of
trusts in certain
cases, declared
to be held in
joint tenancy.

SECT. 1. Whenever real estate has been or shall be conveyed in mortgage and in trust, to any two or more persons, their survivors and successors, with power to the surviving and remaining trustees upon the occurrence of a vacancy in the original number, to appoint a successor, to succeed to and have all the power of the trustee in whose place he shall be so appointed, the said grantees shall be considered as taking and holding the said estate as in joint tenancy, unless a different estate shall be expressly declared to be conveyed. And when one or more of the persons named as such grantees and trustees, shall by death or otherwise be divested of his interest in such estate, the same shall be vested in the remaining trustee or trustees, who being by the conveyance to them or otherwise authorized so to do, shall be entitled to convey the proportion of such estate once held by any former trustee to a new trustee, declared in the conveyance to him to be so appointed, without extinguishing or impairing such joint tenancy; and such new trustee shall take and hold the same title, and be entitled to all the rights, and be subject to all the liabilities as the former trustee, in whose place he has been appointed. When personal property has been or shall be conveyed in connection with real estate in mortgage and upon the like trust, the trustees shall be considered as taking and holding the title as they do the title to the real estate, and the same may be conveyed to a new trustee in connection with an interest in the real estate to be by him held in like manner.

Proviso.

Interest of
trustees, divest-
ed by death or
otherwise
regulated.

Remaining
trustees, author-
ity to convey.

Rights and
liabilities of new
trustees.

Succession of
trusts of person-
al property,
regulated.

SECT. 2. This act shall take effect upon its approval by the governor.

[Approved April 1, 1856.]