

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-FIRST LEGISLATURE

OF THE

### STATE OF MAINE.

1862.

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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:  
STEVENS & SAYWARD, PRINTERS TO THE STATE.  
1862.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1862.

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## CHAP. 103.

## Chapter 103.

An act to amend chapter eleven of the revised statutes relating to common schools.

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

Sect. 9, chap.  
11, R. S.,  
amended.

S. S. committee  
may appoint  
one of their  
number to  
perform certain  
duties.

SECT. 1. Section nine of the eleventh chapter of the revised statutes is amended by striking out said section and inserting the following : The superintending school committee may appoint one of their number, who shall have all the power, and perform all the duties specified in the fifth and twelfth items of the forty-ninth section of said chapter.

Sect. 28 of chap.  
11, R. S.,  
amended.

SECT. 2. Section twenty-eight of said chapter is amended by striking out the words "ten rods at least from any dwelling-house."

Uniform system  
of text books,  
by whom  
selected.

—notice.

Text books,  
when and how  
changed.

SECT. 3. Section forty-nine of said chapter is amended by adding to the fourth item the following : And it shall be the duty of superintending school committees to select a uniform system of text-books to be used in the schools of the town, due notice of which selection shall be given ; and any text-book hereafter introduced into the schools of any town, shall not be changed for five years from the date of its introduction unless by vote of the town ; so that item fourth of said forty-ninth section will read as follows : Fourth, direct the general course of instruction, and what books shall be used in the schools. And it shall be the duty of superintending school committees to select a uniform system of text-books to be used in the schools of the town, due notice of which selection shall be given ; and any text-book hereafter introduced into the schools of any town, shall not be changed for five years from the date of its introduction, unless by vote of the town.

Meeting, how  
called.

SECT. 4. Section fifty-three of said chapter is amended by adding at the end of the first item, the words : which meeting shall be called by the agent without the application mentioned in section seventeen of this chapter.

[Approved March 15, 1862.]

## Chapter 104.

An act additional to chapter six of the revised statutes relating to the assessment of taxes.

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

Standing wood  
and timber, to  
whom assessed.

SECT. 1. Whenever the owner of real estate shall notify the assessors, that the wood and timber, or any part thereof, standing on such real estate, has been sold by contract in writing, and shall

exhibit to such assessors proper evidence thereof, said assessors shall assess such standing wood and timber to the person owning the same under said contract of sale, and not to the owner of said real estate.

SECT. 2. A lien is hereby created on such standing wood and timber, for the payment of all taxes legally assessed thereon; and said lien may be enforced by the collector to whom the tax shall be committed, by a sale of the wood and timber when cut, in the same manner as other property may be seized and sold by said collector under the provisions of section eighty-eight of said chapter.

—a lien created thereon.

—how enforced.

[Approved March 15, 1862.]

### Chapter 105.

An act requiring constables and collectors of taxes to give receipts in certain cases.

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

SECT. 1. The constable or collector of any city, town or parish, on payment of any tax committed to him for collection, and on demand for the same by the party so paying, shall give a receipt therefor. If such constable or collector unreasonably neglect or refuse to comply with the provisions of this section, he shall forfeit and pay to the party aggrieved the sum of five dollars, to be recovered by him in an action of debt.

Constable or collector to give receipt on demand.

Penalty for refusal, &c.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved March 15, 1862.]

### Chapter 106.

An act in relation to suits in court, against persons enlisted as volunteers, in the in the service of the United States or this State.

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

SECT. 1. Any action of contract or review now pending, or which may be commenced against any person, who is or shall be mustered as a volunteer into the service of the United States, or this state, during the present rebellion, shall at the request of the defendant, be continued without cost to either party, till his term of

Actions of contract or review against volunteers, how disposed of.