

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED OCTOBER 22, 1840;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

United States and of the State of Maine,

AND TO WHICH ARE SUBJOINED THE OTHER

PUBLIC LAWS OF 1840 AND 1841,

WITH AN

APPENDIX.

PRINTED AND PUBLISHED IN COMPLIANCE WITH A RESOLVE OF OCTOBER 22, 1840.

Augusta:

PUBLISHED BY WILLIAM R. SMITH & Co., PRINTERS TO THE STATE.

.....
1841.

CHAPTER 150.

CHAP. 150.

OF THE SALARIES OF PUBLIC OFFICERS; AND EXPENSES OF THE MEMBERS OF THE STATE GOVERNMENT.

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| <p>SECT. 1. Salaries payable at the state treasury. Also at the county treasury.</p> <p>2. Other emoluments, pertaining to certain of the same offices.</p> <p>3. Amount of fees, which may be retained by clerks of the judicial courts.</p> <p>4. Compensation of counselors, senators and representatives, secretary of the senate and clerk of the house of representatives.</p> | <p>SECT. 5. Inability or neglect of the register of probate, to be certified by the judge, to the county treasurer.</p> <p>6. Register pro tem. to receive a proportional part of the salary.</p> <p>7. County to provide books for records and blanks. Register to furnish stationery and incidentals.</p> |
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SECTION 1. The following public officers shall be entitled to receive salaries, in quarterly payments, on the first day of January, April, July and October of each year, at the following annual rates, that is to say:

From the treasury of the state:

- Governor, fifteen hundred dollars;
- Treasurer of the state, nine hundred dollars;
- Secretary of state, nine hundred dollars;
- Adjutant general, seven hundred dollars;
- Land agent, one thousand dollars;
- Warden of the state prison, seven hundred dollars;
- Judges of the supreme judicial court, each, eighteen hundred dollars;
- Judges of the district courts, each, twelve hundred dollars;
- Attorney general, one thousand dollars;
- Reporter of the decisions of the supreme judicial court, six hundred dollars;
- County attorneys, in the respective counties of
 - York, two hundred and fifty dollars,
 - Cumberland, four hundred dollars,
 - Lincoln, two hundred and seventy five dollars,
 - Oxford, one hundred and fifty dollars,
 - Kennebec, three hundred dollars,
 - Somerset, two hundred dollars,
 - Penobscot, four hundred dollars,
 - Hancock, one hundred and fifty dollars,
 - Washington, two hundred dollars,
 - Waldo, one hundred and fifty dollars,
 - Franklin, one hundred dollars,
 - Piscataquis, one hundred dollars,
 - Aroostook, one hundred dollars.

And from the treasurer of their respective counties:

- Judges of probate in the counties of
 - York, three hundred dollars,
 - Cumberland, four hundred dollars,
 - Lincoln, three hundred dollars,
 - Kennebec, three hundred dollars,
 - Hancock, two hundred and twenty five dollars,

Salaries payable at the state treasury.

1820, 106, § 1.
 1820, 54, § 10.
 1824, 274, § 1.
 1836, 244, § 1.
 1824, 232, § 23.
 1834, 97, § 1.
 1836, 236, § 1.
 1839, 373, § 10.
 1822, 205.
 1839, 408, § 1.

Also at the county treasury.

1826, 343, § 1.
 1834, 93, § 1.
 1828, 395, § 1, 2.
 1837, 255.
 1836, 224.
 1837, 254.
 1834, 120.
 1839, 363, 393,
 § 1.

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1840, 3, § 3.
1835, 186, § 1, 2.

Oxford, two hundred dollars,
Somerset, one hundred and fifty dollars,
Washington, two hundred and fifty dollars,
Penobscot, two hundred and seventy five dollars,
Waldo, one hundred and fifty dollars,
Franklin, one hundred dollars,
Piscataquis, sixty dollars,
Aroostook, fifty dollars ;

Registers of probate in the counties of
York, five hundred and fifty dollars,
Cumberland, nine hundred dollars,
Lincoln, five hundred dollars,
Oxford, three hundred and fifty dollars,
Kennebec, five hundred and fifty dollars,
Somerset, three hundred dollars,
Penobscot, five hundred and fifty dollars,
Hancock, three hundred dollars,
Washington, four hundred dollars,
Waldo, three hundred dollars,
Franklin, one hundred and fifty dollars,
Piscataquis, one hundred and twenty five dollars,
Aroostook, one hundred dollars ;

Judge of the municipal court in Portland, in the county of Cumberland, seven hundred dollars ;

Recorder of the same court, four hundred dollars.

Other emolument
ments, pertaining
to certain of
the same offices.
1837, 302.
1824, 282, § 23.

SECT. 2. The foregoing salaries shall be in full of all fees and emoluments, pertaining to such offices, excepting as follows :

First. The secretary of state shall be entitled to retain such fees, as may be received in his office for special services ;

Second. The warden of the state prison shall have the exclusive use and occupation of such part of the keeper's house and buildings in Thomaston, belonging to the state, appurtenant to said prison and yard, as the governor and council may direct, and the free use of store rooms, and fuel for his use, which shall be furnished by the prison without charge ;

1820, 54, § 10.

Third. The reporter of the decisions of the supreme judicial court may retain, to his own use, the profits arising from the publication of his reports ;

1825, 343, § 3.

Fourth. The register of probate shall be entitled to fees for all copies of papers, by him furnished by request, excepting one of each of the following papers, to be furnished by him; when demanded, to executors, administrators, guardians, trustees, widows, heirs or other parties, principally interested, to wit: all wills proved, inventories returned and accounts settled, partitions of real estate and assignment of dower, and all other orders and decrees of the court of probate.

Amount of fees,
which may be
retained by
clerks of the
judicial courts.
1820, 90, § 2.

SECT. 3. The clerks of the judicial courts, when they render to the treasurers of their respective counties, their account of fees which have accrued to them, as provided in the sixth section of chapter, one hundred, may severally retain one thousand dollars, if so much shall have accrued to them, during the year preceding, and in the same proportion for any time less than one year ; and in

addition, one half of all the fees of office to them respectively accrued, over that sum or proportional part thereof, as their salaries.

SECT. 4. Each member of the council, senate, and house of representatives, shall be allowed and paid for his services, two dollars for every day he shall have attended, and two dollars for every ten miles' travel from his place of abode, at each session. The president of the senate and speaker of the house of representatives, in addition to their pay as members, shall each be entitled to two dollars for every day's attendance. To the secretary of the senate, and clerk of the house of representatives, there shall be allowed and paid three dollars, each; and to their respective assistants, two dollars each, for every day, they may be employed as such. Pay rolls shall be made up in conformity to these provisions, and paid out of the treasury of the state.

SECT. 5. Whenever the register of probate shall be unable from sickness, or shall, from any other cause, neglect to do the duties of his office, the judge of probate for the same county shall certify, to the county treasurer, the fact of such inability or neglect, and the time of its commencement and termination; and what person has performed the duties of register in the mean time.

SECT. 6. The county treasurer shall not pay to the said register any portion of the salary, that may accrue from the time when it thus appears he ceased to perform his duties, but the same shall be paid to the person certified, as aforesaid, to have performed said duties, until the register shall resume the same, or a new register shall be appointed.

SECT. 7. Each county shall provide all books necessary for keeping the records in the registry of probate and all necessary printed blanks; but all other stationery, and all the incidental expenses of the office shall be considered, as provided by the salary of the register.

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Compensation of counselors, senators and representatives, secretary of the senate and clerk of the house of representatives. 1823, 216. 1824, 273, § 1.

Inability or neglect of the register of probate, to be certified by the judge, to the county treasurer. 1830, 483, § 1.

Register prohibited to receive a proportional part of the salary. 1830, 483.

County to provide books for records and blanks. Register to furnish stationery and incidentals. 1826, 343, § 4.

CHAPTER 151.

OF THE REGULATION OF FEES AND OF COSTS IN CERTAIN CASES.

SECT. 1. Fees of justices of the peace.

2. Judges of municipal and police courts.

3. Clerks of the judicial courts. District court. Supreme judicial court. Court of county commissioners.

4. Sheriffs and their deputies.

5. Coroners, for similar services.

6. Costs of inquests on dead bodies.

7. Fees of constables.

8. Jailers.

9. County commissioners.

10. Jurors.

11. Duty on jury trials, to be paid to the clerk.

SECT. 12. Fees of witnesses.

13. Allowance to parties and attorneys, in civil causes. Costs in actions, brought to the higher courts, which a justice of the peace might try.

14. Costs taxable, for the state, in criminal prosecutions.

15. Of probate fees.

16. Expenses of partition, or assignment of dower, in probate court, to be paid by parties; except when the judge may require executors, &c. to pay.

17. Fees of the secretary of state.

18. Register of deeds.