

# MAINE STATE LEGISLATURE

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FOURTH REVISION.

THE  
REVISED STATUTES

OF THE  
STATE OF MAINE,

PASSED AUGUST 29, 1883, AND TAKING EFFECT JANUARY 1, 1884.

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BY THE AUTHORITY OF THE LEGISLATURE.



PORTLAND:  
PUBLISHED BY LORING, SHORT & HARMON  
AND  
WILLIAM M. MARKS, PRINTER.  
1884.

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**ERRATA:**

**The following two leaves are  
inserted because one or more pages  
in this chapter have errors  
noticed and corrected here.**

# ERRORS.

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## ERROR IN THE TEXT OF THE REVISED STATUTES.

Page 63, § 3, line one.—Erase the last word “may.”

## ERROR IN THE TEXT OF THE REPEALING ACT.

Page 999.—Transfer “Chapter 48, Section 6, of an act to facilitate the prompt administration of justice by establishing a superior court in Kennebec County,” from the year 1879 to 1878.

## ERROR IN THE COMMISSIONER’S NOTES.

Pages 177, 178.—Erase the last two lines of page 177, and the first three lines of page 178.

## ERRORS IN THE MARGINAL REFERENCES.

Page 59, § 6, ¶ xx.—Erase “*R. S.*, c. 1, ¶ xx”, and supply, at the bottom of the page, “*R. S.*, c. 1, § 4”

“ 66, § 24.—Erase “*Resolve of 1837*, c. 52.”

“ 69, § 44.—Supply “*Resolve of 1840*, c. 107.”

“ 72, § 68.—Erase “*See c. 6*, §§ 40-67.”

“ “ § 70.—Erase “*R. S.*, c. 2, § 66.”

“ 79, § 12, (note b).—“*See c. 18*, § 73” should read “*See c. 18*, § 75.”

“ “ “ “ “*See c. 30*, § 15” should read “*See c. 30*, § 16.”

“ “ § 14.—Supply “*See c. 18*, § 75.”

“ 83, § 40.—“*R. S.*, c. 3, § 34” should read “*R. S.*, c. 3, § 33.”

“ 84, § 46.—“*See c. 18*, § 67” should read “*See c. 18*, § 59.”

“ 86, § 59, ¶ i, (note b).—“*See c. 17*, §§ 25-29” should read “*See c. 17*, §§ 27, 28.”

“ “ “ ¶ vi, (note e).—“*See c. 18*, § 15” should read “*See c. 18*, § 17.”

“ 92, note.—“*c. 18*, §§ 39, 103” should read “*c. 18*, §§ 39, 97.”

“ 97, § 16.—Erase “*R. S.*, c. 4, § 16.”

“ 108, § 86.—“*Art. ii*, § 2” should read “*Art. ii*, § 1, ¶ 2.”

“ 117, § 28.—Erase the first reference to “1878, c. 31, § 1.” Also erase “*R. S.*, c. 5, § 26.”

“ 176, § 27.—“*Resolve of 1883*, c. 20” should read “*Resolve of 1883*, c. 86.”

“ 183, § 5.—“*See § 93*, ¶ 6” should read “*See § 93*, ¶ v.”

“ 202, § 102.—“1883, c. 229” should read “*See c. 115*, § 1.”

“ 209, § 1.—Supply “1880, c. 215.”

“ 210, § 7.—Supply “1880, c. 215.”

“ 249, § 44.—“1875, c. 25, § 6” should read “1875, c. 25, § 6.”

“ 270, § 16.—Supply “1880, c. 215.”

“ 330, § 26.—“*See c. 40*, § 77” should read “*See c. 40*, § 74.”

“ “ § 28.—“*See c. 40*, § 38” should read “*See c. 40*, §§ 33, 40.”

“ 374, § 23.—“*See § 17*” should read “1880, c. 234, § 1.”

“ 384, § 74.—Add “1883, c. 138, § 3.”

“ “ “ “ “1883, c. 144, § 4.”

“ 506, § 1.—Supply “*See 1880*, c. 215.”

“ 642, § 80, bottom of the page.—Supply “1878, c. 48, § 6.”

“ 709, § 105.—“*See c. 134*, § 13” should read “*See c. 134*, § 19.”

“ 773, § 42.—Supply “1883, c. 198, § 2.”

“ 804, § 35.—“*See c. 134*, § 26” should read “*c. 134*, § 26.”

“ 861, § 1.—“*R. S.*, c. 2, § 20,” } should read “1883, c. 221.”  
“ “ “ “*R. S.*, c. 115, § 1.” }

“ 862, § 4.—“*See c. 63*, §§ 32 to 39” should read “*See c. 63*, § 35.”

## ERRORS IN CITATIONS OF CASES.

- Page 10, § 8, ¶ iii, (note c).—"14 *Pet.*, 504" should read "14 *Pet.*, 540."  
 " 16, § 1, (note b).—"10 *Me.*, 483" should read "10 *Me.*, 283."  
 " 78, § 5, (note a).—"13 *Me.*, 472, 489" should read "13 *Me.*, 472."  
 " " § 7, (note b).—"12 *Me.*, 589" should read "12 *Me.*, 489."  
 " 147, § 97.—"58 *Me.*, 528" should read "58 *Me.*, 532."  
 " 166, § 1.—"64 *Me.*, 549" should read "64 *Me.*, 599."  
 " 200, § 93, ¶ iv.—Erase "20 *Me.*, 545."  
 " 211, § 19.—"3 *Me.*, 347" should read "3 *Me.*, 249."  
 " 241, § 5, (note b).—"68 *Me.*, 28" should read "63 *Me.*, 28."  
 " 257, § 80, (note a), Construction of ways.—"26 *Me.*, 340" should read "26 *Me.*, 240."  
 " 397, § 1, (note a).—Erase "66 *Me.*, 526."  
 " 521, § 2, (note a).—Erase "60 *Me.*, 377."  
 " " § 9.—Erase "60 *Me.*, 533."  
 " 563, § 10.—"31 *Me.*, 286" should read "31 *Me.*, 254."  
 " 597, § 23.—"4 *Me.*, 19" should read "4 *Me.*, 8."  
 " 705, § 78.—"43 *Me.*, 438" should read "48 *Me.*, 438."  
 " 728, § 12.—Erase "68 *Me.*, 30."  
 " 750, § 5.—Erase "20 *Me.*, 325."  
 " 765, § 1, (note a).—Erase "73 *Me.*, 228."  
 " 814, § 19, (note c).—Erase "71 *Me.*, 543."  
 " 817, § 8, (note b).—"27 *Me.*, 363" should read "27 *Me.*, 362."  
 " 885, § 1.—Erase "62 *Me.*, 285."  
 " 886, § 8.—"36 *Me.*, 225" should read "36 *Me.*, 227."  
 " 933, § 4.—"34 *Me.*, 478" should read "39 *Me.*, 478."

## OMISSION IN REFERENCE INDEX TABLE, PART I.

Page 1060.—Supply "1878, c. 48, § 6," with a reference to "R. S., c. 77, § 80."

## CHAP. 1.

Agents' acts.

XXI. When an act that may be lawfully done by an agent, is done by one authorized to do it, his principal may be regarded as having done it. (a)

Disinterested, or indifferent.

XXII. When a person is required to be disinterested or indifferent in a matter in which others are interested, a relationship by consanguinity or affinity within the sixth degree according to the civil law, or within the degree of second cousins inclusive, except by written consent of the parties, will disqualify. (b)

Municipal officers.

56 Me., 31.

71 Me., 142.

74 Me., 369.

State paper.

[Resolve of

1848, c. 112.]

See c. 79, § 7.]

XXIII. The term "municipal officers" includes the mayor and aldermen of cities, the selectmen of towns, and the assessors of plantations.

XXIV. The words "state paper" mean the newspaper designated by the legislature, in which public acts, resolves, advertisements, and notices are required to be published.

Abstracts and notes.

XXV. Abstracts of titles and chapters, and marginal and other notes are not legal provisions.

Acts of incorporation.

24 Me., 143.

69 Me., 317.

XXVI. Acts of incorporation shall be regarded in legal proceedings as public acts, and be in force on the date of their approval. All acts of incorporation granted since February fifteen, eighteen hundred and seventy-one, become null and void in four years from the day when the same take effect, unless such corporations shall have organized and commenced actual business under their charters.

—limitation.

1871, c., 185.

Affirmations.  
R. S., c. 1, § 5.

SEC. 7. When a person required to be sworn, is conscientiously scrupulous of taking an oath, he may affirm.

## CHAPTER 2.

SOVEREIGNTY AND JURISDICTION. LANDS TAKEN AND CEDED FOR MILITARY PURPOSES. U. S. COAST SURVEY. EXPENDITURE OF APPROPRIATIONS. SINKING FUND. SEAT OF GOVERNMENT. ORGANIZATION OF THE LEGISLATURE. NOTICE OF PETITIONS FOR LEGISLATION. SECRETARY OF STATE. TREASURER OF STATE. AND STATE BONDS. STATE LIBRARY. TENURE OF OFFICE AND QUALIFICATION OF OFFICERS.

SOVEREIGNTY AND JURISDICTION. LANDS TAKEN AND CEDED FOR MILITARY PURPOSES. U. S. COAST SURVEY.

- SEC. 1. Sovereignty and Jurisdiction of the State.
2. Its processes to be executed in places ceded to the United States.
  3. Governor may cede.
  4. Compensation for territory ceded.
  5. Governor may purchase or take lands for forts and other purposes and may cede the same to the United States.
  6. Governor shall cause the same to be surveyed and a plan filed and recorded in the office of secretary of state.

(a) 48 Me., 554; 59 Me., 175; 68 Me., 92, 387.

(b) 29 Me., 542; 30 Me., 156; 32 Me., 311; 47 Me., 476, 594; 52 Me., 501; 59 Me., 264; 66 Me., 352; 68 Me., 219; 73 Me., 58.

- SEC. 7. Owners of land to be compensated as provided in section four.
8. The United States may purchase from owners, lands for light-houses and other public buildings. Such conveyances, where to be recorded.
9. Such property is not taxable.
10. Proceedings when owners are incapacitated, or refuse to convey. Application by United States agent to a justice of supreme court, and notice; value of land to be fixed by a jury. On payment with costs into county treasury, sheriff shall convey land to the United States.
11. Disposal of purchase money and costs.
12. County treasurer to file with clerk a bond payable to the state, for use of owners.
13. Entry on lands for U. S. coast survey.
14. Compensation. County commissioners may assess damages.
15. Their report to be filed. Appeal to supreme court allowed.
16. Tender of amends and costs.
17. Injury to works; penalty.

## EXPENDITURE OF APPROPRIATIONS. ACCOUNTS AGAINST THE STATE.

- SEC. 18. Public money to be applied solely to the objects of its appropriation.
19. Agents and officers of the state not to exceed in expenditures amount of appropriations. Special authority of governor.
20. Accounts against the state to be audited by the governor and council and registered.

## SINKING FUND.

- SEC. 21. Money re-imbursed by the United States to be applied toward payment of war loan of 1861; manner of investment and payment.
22. Interest on amount necessary to re-imburse cities, &c., for municipal war debts, to be raised by annual tax. Sinking fund for payment of principal.

## SEAT OF GOVERNMENT, AND SUPERINTENDENT OF PUBLIC BUILDINGS.

- SEC. 23. Augusta, the seat of government.
24. Superintendent of public buildings and his duties.

## ORGANIZATION OF THE LEGISLATURE.

- SEC. 25. Secretary of state to furnish the secretary of the senate and the clerk of the house with certified lists of members elect.
26. Duty of the secretary of the senate at the organization.
27. Duty of the clerk of the house at the same.
28. In case of a vacancy of secretary or clerk, assistants to act.
29. Secretary of the senate authorized to amend record.
30. Clerk of the house likewise.

## NOTICE OF PETITIONS FOR LEGISLATION.

- SEC. 31. Notice of petitions affecting individuals or corporations, how to be given and published.
32. Petitions affecting towns or counties, how served and published.
33. If notice is not given, petition referred to next legislature.
34. Service of notice, by whom and how proved.

## SECRETARY OF STATE.

- SEC. 35. Secretary of state, his oath and duties.
36. Vacancy, how filled.
37. Bond of secretary.
38. Account of fees to be kept, and return made to governor and council.
39. Stationery, how purchased by secretary of state. Account of distribution to be kept, and account to be rendered to governor and council, annually.
40. Lists of justices, trial justices and notaries public to be furnished to clerks of courts, municipal and police judges, and clerks of the United States courts and pension agents.
41. Clerks of courts to record the same: record is legal evidence.
42. Persons appointed to office to be notified to pay duty.
43. Secretary to prepare commissions, record qualifications, report duties received for commissions, and engross bills.

- CHAP. 2. SEC. 44. Shall cause the public laws to be printed in newspapers, and shall distribute acts and resolves and Maine reports.
45. Shall distribute blanks for election returns. Penalty for neglect.
46. Shall prepare and distribute blanks for railroad reports, and arrange information obtained.

## TREASURER OF STATE, AND STATE BONDS.

- SEC. 47. Treasurer of state; bond and place of office.
48. Condition of bond.
49. Not to have benefit from deposit, use, or loan of money. Indictment.
50. Attorney general to prosecute.
51. Treasurer shall not deposit over \$20,000 in a bank. Exception.
52. Monthly exhibits of deposits of money to be filed by the treasurer.
53. Shall report times when, and amounts received of land agent.
54. The state tax required by section twenty-two, and its income how to be invested. Proceeds of investments to be re-invested.
55. Register of all investments to be kept by state treasurer, and his report to exhibit the condition of the sinking fund.
56. Treasurer may issue registered bonds. Date, interest, when payable, and how signed.
57. Upon assignment, an equivalent bond to be issued.
58. Such bonds to be cancelled and how registered.
59. Bonds in state treasury, how indorsed.
60. Coupon bonds may be converted into registered bonds.
61. Governor and council may declare office vacant in certain cases.
62. To audit contingent funds.
63. May require new bond, and on failure to give it shall declare office vacant.
64. May fill vacancy.
65. Inventory to be taken in such cases.
66. Treasurer's annual report of warrants and sums due.
67. Treasurer shall send tax warrants to sheriffs.
68. Shall issue warrants for collection of delinquent taxes.
69. Names of delinquents to be stated.
70. Annual report on state of treasury to governor and council.
71. A committee of three to be appointed annually by governor and council to examine treasurer's report, and to burn cancelled bonds and coupons.

## STATE LIBRARY.

- SEC. 72. State library to be under control of the governor and council, as a board of trustees.
73. Librarian appointed for three years, and to give bond.
74. Library kept open daily except Sundays and holidays. Librarian's duties.
75. Appropriations for library, how expended.
76. Librarian to make his biennial report in January.
77. Persons allowed to take books on giving security.
78. Certain books not allowed to be taken from library, how labelled.
79. When books may be taken by any citizen.
80. More than three volumes not to be taken at one time, nor to be kept more than three weeks.
81. Certain books not to be taken from the library except by members of the legislature and judges.
82. Persons taking books answerable for damage thereto.
83. Actions for breach of regulations how prosecuted.
84. Governor may transmit to the governors of the several states and of the British Provinces, laws, resolves and reports.
85. One thousand dollars to be biennially expended for the library.
86. Governor and council shall cause a catalogue of all books, &c., to be made.

## TENURE OF OFFICE AND QUALIFICATION OF OFFICERS.

- SEC. 87. Tenure of offices during pleasure, cannot be longer than four years.
88. Governor may appoint persons to qualify civil officers.
89. Certain officers to take official oath before governor and council; others before a magistrate.
90. All officers may be required to give new bonds.



SOVEREIGNTY AND JURISDICTION. LANDS TAKEN AND CEDED FOR MILITARY PURPOSES. U. S. COAST SURVEY.

CHAP. 2.

SEC. 1. The jurisdiction and sovereignty of the State extend to all places within its boundaries, subject only to such rights of concurrent jurisdiction as are granted over places ceded by the State to the United States.

Sovereignty and Jurisdiction.  
R. S., c. 2, § 1.  
—concurrent jurisdiction of U. S.

SEC. 2. Civil, criminal and military processes, lawfully issued by an officer of the State, may be executed in places ceded to the United States, over which a concurrent jurisdiction has been reserved for such purpose.

State processes executed in places ceded.  
R. S., c. 2, § 2.

SEC. 3. The governor, with the advice and consent of council, may, reserving such jurisdiction, may cede to the United States for purposes named in its constitution any territory not exceeding ten acres, but not including any highway; nor any public or private burying ground, dwelling-house or meeting-house, without consent of the owner.

Governor may cede to United States.  
R. S., c. 2, § 3.

SEC. 4. If compensation for such land is not agreed upon, the estate may be taken for the intended purpose by payment of a fair compensation, to be ascertained and determined in the same manner as, and by proceedings similar to those provided for ascertaining damages in locating highways, in chapter eighteen.

Compensation to owner.  
R. S., c. 2, § 4.

See c. 18, §§ 4-8.

SEC. 5. Whenever the public exigencies require it, the governor, with the advice and consent of council, may take, in the name of the State, by purchase and deed, or in the manner herein denoted, any lands, or rights of way, for the purpose of erecting, using or maintaining any fort, fortification, arsenal, military connection, way, railroad, light-house, beacon, or other aid to navigation, with all necessary rights, powers and privileges incident to their use, and may deliver possession and cede the jurisdiction thereof to the United States, on such terms as are deemed expedient.

Governor may purchase or take land for forts and other purposes.  
1874, c. 217.

—may cede the same to the United States.

SEC. 6. When the governor and council determine that a public exigency requires the taking of any land or rights as aforesaid, they shall cause the same to be surveyed, located, and so described that the same can be identified, and a plan thereof, with a copy of the order in council, shall be filed in the office of the secretary of state, and there recorded. The filing of said plan and copy shall vest the title to the land and rights aforesaid, in the State of Maine, or their grantees, to be held during the pleasure of the State, and if transferred to the United States, during the pleasure of the United States.

Shall cause land to be surveyed.  
R. S., c. 2, § 6.

—plan, &c., to be filed and recorded in secretary's office.  
—title, how vested.

SEC. 7. The owner of any land or rights, taken as aforesaid, shall have a just compensation therefor, to be determined as prescribed in section four, *provided*, that application is made within five years after the land is taken.

Compensation to owner.  
R. S., c. 2, § 7.

SEC. 8. In accordance with the constitution of the United States, article one, section eight, clause seventeen, and acts of congress in such cases provided, the consent of the legislature is given to the purchase by the government of the United States, or under its authority, of any tract of land, from any individuals or bodies politic or corporate, within the state, for the erection of light-houses and other needful public buildings; and all deeds, and conveyances or title-papers

Consent of legislature to the purchase by the U. S. of land within state for public buildings.

Special laws of 1871, c. 648, § 1.

## CHAP. 2.

—conveyances, where to be recorded.

Such property not to be taxed.  
Special laws of 1871, c. 648, § 2.

Proceedings for relinquishment to the U. S. of the title to land for the erection of light-houses, forts, &c., when the title cannot otherwise be obtained.  
Special laws of 1877, c. 320.

Special laws of 1871, c. 649, § 4.  
See c. 81, § 21.

Special laws of 1877, c. 320.

Disposal of the purchase money.  
Special laws of 1871, c. 649, § 2.

Treasurer receiving the money to give a bond.  
Special laws of 1871, c. 649, § 3.

for the same, shall be recorded upon the land records of the county in which the land so conveyed may lie; and in like manner may be recorded, a sufficient description, by metes and bounds, courses and distances, of any tracts and legal divisions, of any public land belonging to the United States, set apart by the general government for either of the purposes before mentioned, by an order, patent, or other official paper, so describing such land.

SEC. 9. Lands so selected, with the tenements and appurtenances for the purposes before mentioned, are exempt from taxation by the State.

SEC. 10. Whenever, upon application of an authorized agent of the United States, it is made to appear to any justice of the supreme judicial court, that the United States desires to purchase a tract of land and the right of way thereto, within the state, for the erection of a light-house, beacon light, range light, or light keeper's dwelling, forts, batteries or other public buildings, and that any owner is a minor, or is insane, or is from any cause incapable of making perfect title to said lands, or is unknown, or a non-resident, or from disagreement in price or any other cause, refuses to convey such land to the United States, said justice shall order notice of said application to be published in some newspaper in the county where such land lies, if any, otherwise in a paper in this state nearest to said land, once a week, for three months, which notice shall contain an accurate description of said land, with the names of the supposed owners, provable in the manner required for publications of notice in chapter eighty-one, and shall require all persons interested in said land on a day specified in said notice, to file their objections to the proposed purchase; and at the time so specified a justice of said court shall empanel a jury, in the manner provided for the trial of civil actions, to assess the value of said land at its fair market value, and all damages sustained by the owner of such land by reason of such appropriation; which amount when so assessed, with the entire costs of said proceedings, shall be paid into the treasury of said county, and thereupon the sheriff thereof, upon the production of the certificate of the treasurer that said amount has been paid, shall execute to the United States, and deliver to its agent a deed of said land, reciting the proceedings in said cause, which deed shall convey to the United States a good and absolute title to said land against all persons.

SEC. 11. The money so paid into such county treasury shall there remain until ordered to be paid out by a court of competent jurisdiction.

SEC. 12. The judge directing the money to be paid to a county treasurer, in accordance with the four preceding sections, shall require of such treasurer a bond in double the amount ordered to be paid to him, with two or more sufficient sureties, to be approved by said judge. Such bonds shall be payable to the people of the State of Maine, for the use of such persons, severally, as are entitled to said money, and shall be approved and filed with the clerk of said court before payment of the money to the treasurer.

SEC. 13. Persons employed under the government of the United States in the coast survey, may enter on any land in the state, and erect thereon such buildings and do such other acts, as the objects of the survey require. CHAP. 2.  
U. S. coast survey.  
R. S., c. 2, § 8.

SEC. 14. If satisfactory compensation is not made to the owner by the officers or agents of the United States under whose direction such lands are taken, he may make complaint to the county commissioners, who, after not less than fourteen days' notice to the parties of the time and place of hearing, shall view the premises, hear the parties, and assess the damages sustained by the taking of the land for said purposes, including the time during which it will be required for such use, order them to be paid at such time as they direct, and award costs to the prevailing party. Compensation for use of land.  
R. S., c. 2, § 9.  
  
—co. com'rs may assess damages.

SEC. 15. The commissioners shall file in the office of the clerk of the supreme judicial court a report of their doings, which shall be conclusive upon the parties, unless one of them, within thirty days after the next term of the court, files in court his petition for a new trial, which, after due notice to the opposite party, may, for due cause, be granted, to be had in said court. Their report to be filed with S. J. C.  
R. S., c. 2, § 10.  
  
—appeal allowed.

SEC. 16. The person so entering upon land may tender to the party injured sufficient amends, and if the damages finally assessed do not exceed the tender, judgment shall be rendered against the owner for costs. Costs recovered by the prevailing party shall be taxed as in case of appeal from judgments of a trial justice. Tender of amends.  
R. S., c. 2, § 11.  
  
—costs, how taxed.

SEC. 17. Whoever wilfully injures said buildings, works, or apparatus used therewith, forfeits not exceeding fifty dollars, to be recovered by indictment to the use of the prosecutor; and is also liable in a civil action for damages. Injury to works.  
—liability for damages.  
R. S., c. 2, § 12.

#### EXPENDITURE OF APPROPRIATIONS. ACCOUNTS AGAINST THE STATE.

SEC. 18. Money appropriated for the various branches of expenditure in the public service, shall be applied solely to the object for which the appropriation is made. Public money to be applied solely to objects of appropriation.  
1880, c. 224.

SEC. 19. No agent or officer of the State, or of any department thereof, whose duty it is to expend money under an appropriation by the legislature, and who exceeds in his expenditure said appropriation, shall have any claim for re-imbursement; nor shall such excess be allowed him, unless it has been previously specifically authorized in writing by the governor. No agent or officer of state shall exceed appropriations.  
R. S., c. 2, § 13.  
—unless authorized by governor.  
See c. 9, § 5.

SEC. 20. All claims against the State, including those of the state prison, state reform school, insane hospital, and land department shall be presented to and audited by the governor and council, and shall then be registered by the secretary of state in suitable books, wherein also shall be entered against said claims all payments made thereon. Accounts against state to be audited by governor and council, and registered.  
R. S., c. 2, § 14.

#### SINKING FUND.

SEC. 21. All sums re-imbursed by the United States in liquidation of claims for advances made by the State of Maine for the outfit, equip- Certain money, re-imbursed by U. S.,

## CHAP. 2.

to be applied  
toward pay-  
ment of war  
loan of 1861.  
R. S., c. 2, § 15.

—manner of  
investment  
and payment.

Interest on  
municipal  
war debt  
bonds to be  
raised by  
annual tax.  
R. S., c. 2, § 18.  
1880, c. 239, § 1.

—sinking  
fund created  
for extin-  
guishment of  
principal.

See § 60.

Capital,  
Augusta.  
R. S., c. 2, § 19.

Superinten-  
dent of pub-  
lic buildings,  
appoint-  
ment of.

—duties.

Resolve of  
1837, c. 52.  
R. S., c. 2, § 20.

ment and other necessities furnished to troops raised in the state for the service of the United States in the year eighteen hundred and sixty-one, are pledged and set apart for the principal of the war loan negotiated under the resolve approved April twenty-five, eighteen hundred and sixty-one; and the same, together with all interest accruing thereon, shall be held for that specific purpose; and said fund shall be invested, registered and made available for the payment of said loan at its maturity, in the manner, and by the authority, prescribed in section fifty-four of this chapter, and shall be applied to the extinguishment of said war loan.

SEC. 22. There shall be raised by taxation at each session of the legislature, the interest on such sums as have been found due under the act of March seven, eighteen hundred and sixty-eight, providing for the equalization of municipal war debts and limited assumption and reimbursement thereof by the State, together with such sum for a sinking fund as invested year by year will meet, at maturity, the payment of the bonds provided for in the fourth section of said act, to be assessed and collected at the same time and in the same manner as the usual state tax, and in addition thereto; and the last named sum so raised is pledged and shall be held as a sinking fund to be invested as provided in section fifty-four of this chapter, and applied to the payment of the principal of the bonds issued by authority of the fourth section of said act.

## SEAT OF GOVERNMENT AND SUPERINTENDENT OF PUBLIC BUILDINGS.

SEC. 23. The city of Augusta shall be the seat of government, until otherwise provided by the legislature.

SEC. 24. The governor, with the advice and consent of council, shall appoint a superintendent of public buildings, who shall take charge of the same and all the furniture and other property connected therewith; preserve the same from injury, at all proper times open and ventilate the several apartments, and constantly keep every part thereof properly swept and cleansed; take charge of the geological department or cabinet of minerals, preserve the same from injury and in proper condition for exhibition, and at all suitable hours personally attend visitors, free of expense; take care of the public grounds, fences, forest trees, and all other property not before enumerated, pertaining to the public buildings; and under the direction of the governor and council, superintend and cause all necessary repairs to be made upon the public buildings and furniture thereof, upon the fences and walks of the public grounds, set out suitable ornamental and forest trees, and protect the same from injury or decay; and make all purchases of furniture, lights, wood, and everything necessary for the use and convenience of all the apartments of the state house, strict economy being required in all contracts for repairs and purchases; and no contract shall be made upon the credit of himself or the State. He shall give bond to the State in the sum of two thousand dollars, for the preservation of said property and the faithful discharge of his trust. The governor and council may also require him to perform any other duties that the public interest may require, without extra compensation.

## ORGANIZATION OF THE LEGISLATURE.

## CHAP. 2.

SEC. 25. The secretary of state shall, on or before the day preceding the meeting of the legislature, furnish to the secretary of the preceding senate, a certified roll, under the seal of the State, of the names and residences of senators elect, according to the report of the governor and council, and to the clerk of the preceding house of representatives a certified roll, under the seal of the State, of the names and residences of the representatives elect according to the report of the governor and council, and shall report the vacancies, if any exist.

Secretary of state to furnish secretary of senate and clerk of house with certified rolls of members elect.  
R. S., c. 2, § 21.  
1880, c. 239, § 2.

SEC. 26. The secretary of the preceding senate, at the time and place appointed for the meeting of the legislature, shall call the senators elect, present, to order, and from the certified roll furnished him as aforesaid, call their names, and if a quorum respond, he shall preside until they are qualified and a president is elected; if no quorum appear he shall preside, and the senators elect, present, shall adjourn from day to day, but shall transact no business, except to go into conventions to fill vacancies, until a quorum appear and are qualified and a president is elected.

Duty of secretary of senate at organization.  
R. S., c. 2, § 22.

SEC. 27. The clerk of the preceding house of representatives in like manner shall call the representatives elect to order and preside until they are qualified and elect a speaker; if no quorum appear he shall preside, and the representatives elect, present, shall adjourn from day to day, until a quorum appear and are qualified, and a speaker is elected.

Duty of clerk of house at organization.  
R. S., c. 2, § 23.  
70 Me., 589, 590.

SEC. 28. In case of vacancy in the office of such secretary or clerk, or absence or inability of either to perform the duties aforesaid, they shall be performed by the assistants.

In absence of secretary or clerk, assistants to act.  
R. S., c. 2, § 24.

SEC. 29. The secretary or assistant secretary of any senate shall amend, according to the fact, the journal of said senate, whenever empowered or required by authority of the same, or of any subsequent senate.

When secretary of senate shall amend record.  
1880, c. 185, § 1.

SEC. 30. The clerk or assistant clerk of any house of representatives shall amend, according to the fact, the journal of said house, whenever empowered or required by authority of the same, or of any subsequent house.

When clerk of house shall amend record.  
1880, c. 185, § 2.

## NOTICE OF PETITIONS FOR LEGISLATION.

SEC. 31. Notice of any petition for legislation affecting the rights of individuals or corporations, may be given by serving them with a true copy of the petition at least fourteen days before the commencement of the next session, or by publishing such copy three weeks successively in some newspaper printed in the counties in which such individuals reside, or such corporations are established; or if no newspaper is there published, then in the state paper, the last publication to be at least fourteen days before the session; and if further service is deemed necessary, or if notice is defective or insufficient, further notice may be ordered.

Notice of petitions affecting individuals or corporations, how given.  
R. S., c. 2, § 26.  
63 Me., 239.  
—how published.  
—last publication.  
—if insufficient.

SEC. 32. Notice of any petition affecting the rights or interests of any town or county may be given to such town by serving it with a true copy of the petition at least fourteen days before the session, and to such county, by publishing as prescribed in the preceding section.

Affecting town or county, how served and published.  
R. S., c. 2, § 27.  
63 Me., 239.

## CHAP. 2.

If no notice,  
petition to be  
referred.

R. S., c. 2, § 28.  
63 Me., 239.

Service, by  
what officer;  
how proved.  
R. S., c. 2, § 29.

SEC. 33. Petitions mentioned in the two preceding sections without proof of notice as prescribed, shall be referred, with order of notice, to the next legislature.

SEC. 34. Service of notice of such petitions may be made by any sheriff, constable or coroner, and proved by his proper return or by written acknowledgment of the adverse party on the petition, or if notice is given by publication, then by the newspapers, or the affidavit of the printer.

## SECRETARY OF STATE.

Secretary's  
oath and  
duties.

R. S., c. 2, § 30.

SEC. 35. The secretary of state shall take and subscribe the oath or affirmation prescribed by the constitution, and keep his office at the seat of government; have the custody of the state seal, and preserve all records in such office, at the expense of the State.

Vacancy,  
how filled.

R. S., c. 2, § 31.

SEC. 36. When a vacancy happens in the office of secretary during the recess of the legislature, the governor, with the advice and consent of council, shall appoint a suitable person to act as secretary of state, until one is elected by the legislature; and the person thus appointed shall take the oath required of the elected secretary; and have the same compensation, while he performs the duties of the appointment.

Bond and  
condition.

R. S., c. 2, § 32.

SEC. 37. The secretary, elected or appointed, shall give bond to the State, to be deposited in the office of the treasurer, in such sum as the governor and council direct, with sufficient sureties, with condition that he will faithfully appropriate according to law all moneys belonging to the State which come to his hands, and render, annually, a true account thereof to the governor and council.

Shall keep  
account of  
fees, and  
return to gov-  
ernor and  
council.

R. S., c. 2, § 33.

SEC. 38. He shall keep an accurate account of all fees received by him in his office, and shall, annually, in December, make return thereof, under oath, to the governor and council, and pay the amount of such fees to the state treasurer.

Stationery,  
how pur-  
chased.

R. S., c. 2, § 36.

SEC. 39. All stationery required for the use of the several departments shall be purchased by the secretary of state, who shall carefully compare every lot received with the invoice, and ascertain that a full delivery of the amount charged is made; he shall also keep an accurate account of all that is distributed to the respective departments, and annually render an account of the amount purchased, distributed, and remaining on hand, stating the several articles separately, which accounts, with the original invoices, shall be examined and the stock on hand compared therewith, by the council, each December.

—shall keep  
an account  
of all distri-  
buted.

—account to  
be examined  
by council.

Lists of jus-  
tices of the  
peace, nota-  
ries, &c., to  
be furnished  
clerks of  
courts.

R. S., c. 2, § 37.

SEC. 40. The secretary of state shall on the first days of June and December, forward to the clerks of the state courts, registers of probate courts, judges of municipal and police courts, clerks of United States courts and United States pension agents in the state, a list of all justices of the peace, justices of the peace and quorum, trial justices, and notaries public, whose commissions are then in force, and the evidence of whose qualifications has been filed in his office within the six months next preceding the time of forwarding such lists, which shall contain the name and residence of every such officer, the date of his commission, and the county or counties for which he is commissioned.

SEC. 41. Clerks of courts shall record such lists in a suitable book ; and such record and copies thereof, attested by the clerk, shall be legal, but not conclusive evidence of the appointment and qualification of such officers.

CHAP. 2.

Clerks shall record lists. R. S., c. 2, § 38. —record and copies, evidence.

SEC. 42. The secretary of state shall notify every person appointed to an office upon which a duty is to be paid, and on receipt of evidence of its payment, shall cause a commission to be immediately made, under direction of the governor, and delivered to such officer, or to any person appointed by him to receive it.

Secretary to notify officers appointed, to pay duties. R. S., c. 2, § 39.

SEC. 43. He shall prepare and present to the governor and council under the seal of the State, in order that the same may receive the signature of the governor, a commission for every person appointed or elected to any office for which a commission is required ; enter in a suitable book the time when and the person by whom any commission is taken from his office, and the time when any certificate of the qualification of any officer is filed therein ; and, annually, on the first day of January, certify to the treasurer of state the amount paid to the several county treasurers for duties on commissions by him delivered during the year preceding. He shall cause all bills passed by the legislature to be engrossed, under his special direction, for the use thereof.

Secretary to prepare commissions. R. S., c. 2, § 40.

—to record qualifications.

—report duties received.

—engross bills.

Cause public laws to be printed in newspapers. Resolves of 1832, c. 16; 1842, cc. 24, 60; 1854, c. 190; 1857, c. 67. —distribute acts and resolves, and Me. reports. R. S., c. 2, § 41. Resolve of 1875, c. 68. See c. 1, § 4.

SEC. 44. He shall cause the public laws passed at each session to be printed within thirty days after the close thereof, on extra sheets, on good paper, by the publishers of each newspaper ; and each printer who so publishes and distributes the laws to his subscribers shall receive ten dollars, besides one dollar for every hundred copies so distributed. He shall also procure the usual number of each volume of Maine Reports and distribute them and the acts and resolves when published, to such corporations, officers, and other persons, as the legislature designate. (a)

Mail election blanks to town clerks.

—clerks to notify sec'y, if not rec'd.

—penalty for neglect. 1876, c. 100. 1880, c. 239, § 3.

SEC. 45. He shall cause blanks for all election returns required by law to be seasonably distributed to the clerks of the several towns, by mail ; and if any clerk fails to receive such blanks by the twentieth day of August, in any year in which an election is held of which returns are to be made to the office of the secretary of state, he shall forthwith notify the secretary of state. If the secretary neglects this duty he forfeits one hundred dollars for each neglect.

SEC. 46. The secretary shall prepare the necessary printed blank forms for reports of railroad corporations, and transmit a suitable number thereof to each, in November, annually. He shall arrange the information contained in the reports in tabular form, and prepare it in a single document for the use of the legislature during its session.

Prepare blanks for R. R. reports.

—arrange information. R. S., c. 2, § 43.

#### TREASURER OF STATE, AND STATE BONDS.

SEC. 47. The treasurer of state shall keep his office at the seat of government, and give the bond required by the constitution, to the State of Maine, with good and sufficient sureties residing therein, in the penal sum of not less than one hundred and fifty thousand dollars.

Treasurer's office. —bond. R. S., c. 2, § 44. 52 Me., 551.

(a) 2 Me., 303; 9 Me., 56; 16 Me., 70; 21 Me., 60; 39 Me., 295.

## CHAP. 2.

Condition of  
treasurer's  
bond.  
R. S., c. 2, § 45.  
52 Me., 551.  
58 Me., 123.

SEC. 48. The condition of the bond shall be for the faithful discharge of all the duties of his office and the fidelity of all persons by him intrusted with any of its concerns, and that during his continuance in office he will not engage in trade or commerce, or act as broker, agent, or factor, for any merchant or trader; and that he, or his executors, administrators, or sureties, or their executors or administrators, shall render a just and true account of all his agents' and servants' doings and transactions in the office, to the legislature, or to such committee as it appoints, on the first day of each regular session of the legislature, previous to the choice of a new treasurer, and at any other time, when required by the legislature, or the governor and council; and that he will settle and adjust said account, and faithfully deliver to his successor in office, or to such person as the legislature appoints, all moneys, books, property, and appurtenances of said office, in his, or any of his agents' possession, and pay over all balances found due on such adjustment. Such bond, when approved as the constitution prescribes, shall be lodged in the secretary's office.

1880, c. 239, § 4.

Treasurer  
not to use,  
or receive  
benefit from  
state money  
or credit.  
R. S., c. 2, § 46.  
52 Me., 551.  
69 Me., 367.  
See § 61.

—indictment  
and penalty.

Attorney  
general to  
prosecute.  
R. S., c. 2, § 47.  
69 Me., 367.

Treasurer  
shall not  
deposit more  
than \$20,000  
in a bank.  
R. S., c. 2, § 48.  
Shall file  
monthly ex-  
hibits.  
R. S., c. 2, § 49.  
52 Me., 551.  
69 Me., 367.

Report re-  
ceipts from  
land agents.  
R. S., c. 2, § 50.  
1880, c. 239, § 5.  
Taxes for  
sinking fund  
to be invested  
in bonds.  
R. S., c. 2, § 51.  
1875, c. 48, §§  
5, 7.  
—to re-invest  
proceeds.

SEC. 49. The treasurer shall not in any way receive for his own use any interest, premium, gratuity, or benefit, by reason of any money belonging to the State, or of any loan obtained for the State, or for keeping on hand or circulating the bills of any bank; but whatever is so received shall be accounted for to the State. He shall not loan or use in his own business, or for his own benefit, any such money, or permit any other person to do it, unless authorized by law, on pain of forfeiting a sum equal to the amount so used or loaned, to be recovered by indictment.

SEC. 50. When the attorney general receives satisfactory information, that a treasurer of state has violated any provision of the preceding section, he shall cause him to be indicted therefor and shall prosecute such indictment to final judgment.

SEC. 51. No more than twenty thousand dollars of the money of the State shall be on deposit in a bank, unless it is necessary for the payment of state bonds and interest, becoming payable at such bank. (a)

SEC. 52. At the expiration of each month, the treasurer shall prepare an exhibit showing the banks and places in which moneys of the State have been kept or deposited during the preceding month, and the amount in each at the time of such exhibit, and file it in the office of the secretary of state, open to public inspection.

SEC. 53. His report shall state the time, when each sum was received of the land agent, and the amount of it.

SEC. 54. The treasurer, with the advice of the governor, shall from time to time, as the taxes for the sinking fund provided for in section twenty-two are received into the treasury, invest the same, with the income thereof, as it accrues, in any bonds of Maine, of any other New England state, or of the registered bonds of the United States; and as such bonds fall due and are paid, the proceeds thereof shall be re-in-

(a) 52 Me., 551; 69 Me., 367.



vested in like manner and be held by said treasurer for the purposes mentioned in said section, and he may make similar investments on account of any sinking fund established by law.

SEC. 55. The treasurer shall keep a register of all such investments, showing the date, amount, and number of each bond, by whom issued, and the time when it will mature, and in his annual report to the governor and council, he shall include an exhibit of the condition of said sinking funds.

SEC. 56. The treasurer may issue registered bonds, transferable by assignment, in pieces of not less than one thousand dollars, and of any multiple of one thousand, in exchange for, and in place of, any coupon bonds issued under the laws of this state, bearing the same rate of interest and maturing at the same time as the bonds which he may receive therefor in exchange; but the place of payment prescribed therein shall be the state treasury; and said bonds shall be signed by the treasurer, countersigned by the governor, and attested by the secretary of state, with the seal of the State.

SEC. 57. Upon due assignment of any such registered bond and delivery thereof to the treasurer, an equivalent bond or bonds, in form as aforesaid, shall be issued to the assignor in substitution therefor.

SEC. 58. All bonds thus received by the treasurer for exchange shall be cancelled, and retained in the office of the treasurer; and the secretary of state, as well as the treasurer, shall keep a register of all such bonds, showing the serial number, date, interest, amount of each certificate, to whom originally issued and when payable; and also a like description of the new bonds issued in place thereof.

SEC. 59. Every United States or other bond when received into the treasury, shall immediately be indorsed with the words following, viz: 'Property of the State of Maine; not transferable by the treasurer without the consent of the governor indorsed thereon.'

SEC. 60. All coupon bonds issued by the State belonging to any sinking fund of the state, shall be converted into bonds registered in the name of the treasurer; no registered bond of the State belonging to such sinking fund shall be negotiated by the treasurer unless the governor's assent to the transfer is first indorsed thereon, and all such bonds shall exhibit upon their face this restriction of their negotiability; and any coupon bonds so issued and held by or deposited with the treasurer for trust purposes may be converted into the registered form of bonds, whenever the parties depositing them so desire.

SEC. 61. Upon written complaint of any person, that the treasurer is insane or insolvent, or has absconded, or concealed himself to avoid his creditors, is absent from the state and neglecting his duties to the hazard of the trust reposed in him, has violated any provision of section forty-nine or has failed faithfully to perform the duties of his office, the governor and council shall forthwith examine into the charges, and if either of them is found true, they shall remove him and declare the office vacant.

SEC. 62. They shall audit his account of any contingent fund appropriated for him or his office; and any balance found due shall be paid by him to the State.

## CHAP. 2.

1865, c. 286, § 2.  
1868, c. 225, § 5.  
1875, c. 48, § 5.

Register to be kept by treasurer.  
1865, c. 286, § 3.  
R. S., c. 2, § 52.  
1875, c. 48, § 7.  
—annually to report condition of fund.  
1880, c. 239, § 6.

Treasurer may issue registered bonds.  
1870, c. 148, § 1.  
R. S., c. 2, § 54.

—date, interest, when payable, and how signed.

Equivalent bond to be issued on assignment.  
1870, c. 148, § 2.  
R. S., c. 2, § 55.

Cancellation and registry of old bonds.  
1870, c. 148, § 3.  
R. S., c. 2, § 56.  
1875, c. 48, § 3.

Bonds in state treasury, how indorsed.  
1877, c. 216.

Coupon bonds of sinking fund shall be converted into registered bonds.  
1874, c. 160.  
1875, c. 48, § 7.  
See § 22.

—registered bonds, how negotiated.

Governor and council to examine into complaints against state treasurer.  
R. S., c. 2, § 58.  
69 Me., 367.

—may declare office vacant.

To audit contingent fund.  
R. S., c. 2, § 59.  
69 Me., 367.

## CHAP. 2.

May require  
a new bond.  
R. S., c. 2, § 60.  
69 Me., 367.

SEC. 63. When it appears to them, that his bond is not sufficient for the full security of the State, they shall make written demand upon him for a new bond ; and if he neglects for ten days thereafter, to file such bond to their satisfaction, they shall remove him and declare the office vacant.

May appoint  
a commis-  
sioner to fill  
vacancy.  
R. S., c. 2, § 61.

SEC. 64. In case of a vacancy in the office of treasurer, the governor, with the advice and consent of council, shall appoint a commissioner to perform the duties of the office during the residue of the term for which he was chosen, unless another is sooner elected by the legislature ; and the person so appointed shall, before entering on the duties of his office, take and subscribe the oaths, and give bond with the same conditions as are required of the treasurer, to the acceptance of the governor and council.

See § 47.

Inventory for  
commis-  
sioner.

—his receipt  
therefor.  
R. S., c. 2, § 62.

SEC. 65. When such commissioner is appointed, the secretary of state and the attorney general, or two impartial citizens to be appointed by warrant under the hand and seal of the governor, shall, as soon as practicable, after notice to the sureties, or any two of them, of the late treasurer, or of the treasurer to be superseded, take a true account and inventory of all moneys, notes, books of account and other property, belonging to the State, which were in the hands of such treasurer, or of any of his agents, and deliver it to such commissioner, he giving a receipt therefor, which shall be lodged in the secretary's office.

Annual re-  
port of war-  
rants and  
amounts due.  
R. S., c. 2, § 63.

SEC. 66. The treasurer, on the first Wednesday of January, annually, shall lay before the governor and council a statement of the amount of all warrants in favor of the State, and of any other sums or balances, due from the several sheriffs, and shall certify the names of the sureties in their bonds.

Warrants to  
be sent to  
sheriffs.  
R. S., c. 2, § 64.

SEC. 67. He shall send such warrants as he is ordered to issue, for assessing any tax, inclosed to the sheriff of each county, to be transmitted by him to the assessors of the towns within such county.

To issue war-  
rants for  
delinquent  
taxes.  
R. S., c. 2, § 65.  
See c. 6, §§  
40-67.

SEC. 68. He shall issue warrants or executions against delinquent towns, assessors, constables and collectors, to enforce the collection and payment of state taxes in cases prescribed in chapter six.

Names of de-  
linquents to  
be reported.  
R. S., c. 2, § 67.

SEC. 69. He shall report the names of all officers who have not settled their accounts as by law required, or who have not paid over the money in their hands belonging to the State, and the amount due from each.

Treasurer of  
state to lay  
annual de-  
tailed ac-  
count before  
governor and  
council.  
R. S., c. 2, § 66.  
1880, c. 239, § 7.

SEC. 70. He shall annually on the first Wednesday in January, lay before the governor and council, a printed detailed account of the state of the treasury, distinguishing in the receipts and expenditures the sums due at the close of the preceding year, from those that became due during the current year, and what sums are due to and from the treasury, and the resources of the state for the ensuing year. The governor and council shall lay such accounts before the legislature on the first Monday of each regular session.

Committee  
annually to  
be appointed  
by governor  
and council

SEC. 71. The governor and council shall, annually, appoint a committee of not less than three citizens, who shall carefully examine the accounts of the state treasurer as embodied in his annual report, and

certify in writing the result of such examination; and their certificate shall be appended to his report. They shall also examine all cancelled bonds and coupons and destroy the same by burning in the presence of said treasurer, and give him a certificate of such destruction. They shall make a sworn report of their doings to the governor and council, which report shall be entered on the records of the governor and council and filed in the office of the secretary of state. Their compensation shall be fixed by the governor and council and paid from the contingent fund thereof; and said committee may consist wholly or in part of members of the council.

## CHAP. 2.

to examine treasurer's report, and to burn cancelled bonds and coupons. 1883, c. 127.

—sworn report to be recorded and filed.

—committee, how paid, and composed.

## STATE LIBRARY.

SEC. 72. The state library shall be under the management and control of the governor and council as a board of trustees.

Trustees of library. R. S., c. 2, § 68.

SEC. 73. They shall appoint a librarian of the state library, who shall hold office three years unless sooner removed, and give bond to the State for the faithful performance of the duties of his office, in such sum and with such sureties as shall be approved by the governor and council.

Librarian, how appointed.

—term three years; bond. R. S., c. 2, § 69.

SEC. 74. He shall keep the library open every day in the year, Sundays and the usual public holidays excepted, during the usual business hours; and he shall employ his leisure time in preparing an index of the public documents.

Library, when to be kept open. R. S., c. 2, § 70. R. S., c. 2, § 81.

SEC. 75. All money appropriated by the legislature for the purchase of books, shall be expended by the librarian under direction of the governor.

Appropriations, how expended. R. S., c. 2, § 71.

SEC. 76. The librarian shall report to the legislature biennially, in January, the receipts and expenditures on account of the library, with a list of all books, maps and charts acquired during the two preceding years, specifying those obtained by purchase, donation and exchange, and those which have been lost or are missing, and shall make suggestions in relation to the improvement of the library.

Librarian shall report biennially in January. R. S., c. 2, § 72. 1880, c. 239, § 8.

SEC. 77. Books may be taken from the library by the governor, members of the council and of the legislature, judges of the judicial courts, secretary of state, deputy secretary of state, treasurer of state, adjutant general, attorney general, land agent, reporter of decisions, counsel engaged in the argument of causes before the law courts in the middle district, superintendent of public buildings, superintendent of common schools, superintendent of the insane hospital, chaplains, secretary and assistant secretary of the senate, chaplains, clerk and assistant clerk of the house, and secretary and members of the board of agriculture, during the session of the board; but this privilege to the members of the legislature and those officially connected therewith, is limited to the time of the session. Any person taking books from the library shall first give sufficient personal security for their return within twenty days.

Persons allowed to take books. R. S., c. 2, § 73.

—security for books taken.

SEC. 78. The librarian shall cause such books as are not allowed to be taken from the library, to be labelled with the following words, 'not allowed to be taken from the library;' and books so labelled shall not be removed from it.

Labelled books not to be taken from library. R. S., c. 2, § 74.

## CHAP. 2.

When books may be taken by any citizen.

R. S., c. 2, § 75.

Limited to three volumes and three weeks.

R. S., c. 2, § 76.

Certain books not to be taken from the library.

R. S., c. 2, § 77.

Liability for damages to books.

R. S., c. 2, § 78.

Action for breach of regulations, how prosecuted.

R. S., c. 2, § 79.

Governor may transmit laws to the several states and to the British provinces.

R. S., c. 2, § 80.

Appropriation \$1,000, biennially.

R. S., c. 2, § 82.

1880, c. 239, § 9.

Catalogue.

R. S., c. 2, § 83.

Tenure of office.

R. S., c. 2, § 84.

72 Me., 558,

564.

Qualifying officers, how appointed.

R. S., c. 2, § 85.

70 Me., 591-2.

Certain offi-

SEC. 79. He may, on written application of any citizen for good reasons therein set forth, and when he thinks it safe, deliver to him, during the recess of the legislature, books not so labelled, taking his receipt therefor, and fixing the time for their return.

SEC. 80. No person authorized to take books from the library shall have at any one time more than three volumes, nor shall the same be retained for more than three weeks; and all shall be returned on or before the first day of January, annually.

SEC. 81. The following books shall not be taken from the library room, except for the use of either house or of the committees of the legislature during its session, or for use in the supreme judicial or superior court in term time; all books presented by the United States, or any of the States; all works, books, and documents relating to the laws or legislative proceedings of the United States, or of other states or countries; all digests, reports of decisions, and works relating to the science of the law, and Vattemare's exchanges.

SEC. 82. Every person is answerable for all damage done by him to any book, and in case of the loss of a volume belonging to a set, he shall procure a new volume or pay the value of the set.

SEC. 83. Actions for breach of the aforesaid regulations may be brought by the librarian in his own name in behalf of the State, and, in case of his death or removal, the action shall be prosecuted by his successor.

SEC. 84. The governor may transmit to the governors of the several states and of the several British North American provinces, three copies of all the laws and resolves published by order of the legislature, one copy of all public documents printed and bound by the like order, and one copy of the printed decisions of the supreme judicial court.

SEC. 85. One thousand dollars shall be biennially appropriated for the library, to be expended in purchasing or otherwise procuring such books, maps, charts and works, as are deemed most useful, and in binding and keeping in good condition the works therein.

SEC. 86. The governor and council shall from time to time cause to be made and printed a catalogue of all books, maps, charts, and works in the library, and such as are annually added thereto.

## TENURE OF OFFICES AND QUALIFICATIONS OF OFFICERS.

SEC. 87. All civil officers, appointed by the governor and council, whose tenure of office is not fixed by law or limited by the constitution, otherwise than during the pleasure of the governor and council, except ministers of the gospel appointed to solemnize marriages, and persons appointed to qualify civil officers, shall hold their respective offices for four years and no longer, unless re-appointed; subject to removal at any time within said term by the governor and council.

SEC. 88. The governor, with the advice and consent of council, may appoint, in each county, persons before whom the oaths, required by the constitution to qualify civil officers, may be taken and subscribed.

SEC. 89. The justices of the supreme judicial court, attorney general,

secretary, treasurer, adjutant general and quartermaster general, shall take and subscribe the oath or affirmation required by the constitution, before the governor and council, when in session, and in their recess, before any two members of the council; and every other person elected or appointed to any civil office, shall take and subscribe the oath before any one member of the council, or before any magistrate commissioned by the governor for that purpose, except when the constitution otherwise provides.

SEC. 90. The governor and council may require any officer, who by law gives bond to the State, to give a new bond when they consider it necessary; and when it is given, the obligors in the former bond are discharged from liability thereon for acts and defaults after the acceptance of the new one; and if such officer does not give a new and satisfactory bond within the time specified by the governor and council, his office becomes vacant, and shall be filled as provided by law.

## CHAP. 2.

cers to take oath before the governor and council. R. S., c. 2, § 86. —others, to take oath before magistrates. 70 Me., 591-2.

Officers may be required to give new bonds.

—if new bond is not given, office deemed vacant. R. S., c. 2, § 87.

## CHAPTER 3.

## TOWNS, THEIR MEETINGS, POWERS AND DUTIES.

## TOWNS.

- SEC. 1. Towns are corporations.
2. Town meetings shall be called by selectmen.
  3. Call of first meeting; when no officers, meeting how called.
  4. Selectmen refusing, call may be made by justice on request of ten voters, same number may require an article to be inserted in warrant.
  5. Form of warrant. Articles to be specified.
  6. Warrant may be directed to constable or individual.
  7. Mode of notice; return, shall state the manner.
  8. Four preceding sections apply to cities and their officers.
  9. Village corporation meetings, how called.
  10. Errors in return, and in town records and tax lists, how corrected.
  11. Who are entitled to vote.
  12. Annual meetings to be in March. Officers then to be chosen.
  13. What officers are to be chosen by ballot. Exceptions.
  14. Selectmen may fill vacancies. Their appointment of highway surveyors and other officers, to be recorded.
  15. Clerk to preside during choice of moderator.
  16. Clerk to be sworn; form of oath.
  17. Clerk may appoint deputy. Municipal officers may appoint acting clerk to fill vacancy.
  18. Town treasurer may appoint deputy.
  19. Treasurer responsible.
  20. Municipal officers may appoint treasurer, in case of vacancy.
  21. Such treasurer to be sworn and give bond.
  22. Officers chosen, to be summoned to take their oaths.
  23. Penalty for neglect to be sworn. Exceptions.
  24. Town and parish officers, how sworn, and certificate to be given. Mode of making record. Clerk may record his own election. Record to be evidence. Penalty for neglect. Fee for recording oath.