

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1853.

Augusta:
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1853.

THIRTY-SECOND LEGISLATURE.

HOUSE.]

[No. 6.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
FIFTY-THREE.

AN ACT in amendment of, and additional to, the
thirtieth chapter of the Revised Statutes.

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

SECTION 1. When any beast shall be impounded,
2 and proceedings had, in the manner set forth in the
3 fifteenth and preceding sections of the thirtieth chap-
4 ter of the revised statutes, if the forfeiture, damages,
5 fees, charges, and costs shall not be paid, or the beast
6 replevined, within ten days after the notice provided
7 in the fifteenth section shall have been given, the
8 pound-keeper shall, without any other process, sell
9 the said beast at public auction, after having posted

10 up in two public places in the town or city where said
11 beast shall be impounded, at least forty-eight hours
12 before the time of sale, notices of the time and place
13 and cause of said sale, in which he shall insert a brief
14 description of the beast ; and for posting such notices
15 and making such sale he shall be allowed the same
16 fees that are allowed by law to sheriffs and constables
17 for similar services. And the proceeds of such sale
18 shall be disposed of in the manner provided in the
19 eighteenth section of said thirtieth chapter. And the
20 said pound-keeper shall, in a book to be provided at
21 the expense of the town or city, make a record of all
22 his proceedings in such impounding and sale, the
23 price for which said beast is sold, the name of the
24 purchaser, and the disposal of the proceeds of such
25 sale ; and a copy of said record, duly attested by such
26 pound-keeper, or his successor in office, shall be
27 evidence for the purchaser of his title to said beast,
28 and of the truth of the facts therein set forth. And
29 for making such record, and for each copy thereof,
30 the pound-keeper shall be entitled to receive twenty-
31 five cents. And said book shall be delivered by the
32 pound-keeper to his successor in office, and shall be
33 open to inspection of all persons interested therein.

REVISED STATUTES.

SECT. 2. In all cases where damages are claimed
2 the pound-keeper shall, before making the sale pro-
3 vided for in the first section of this act, institute and
4 complete the proceedings specified in the twelfth
5 section of the said thirtieth chapter of the revised
6 statutes, within the ten days after giving the notice
7 provided in the fifteenth section.

SECT. 3. The penalties, prescribed in the third
2 section of the said thirtieth chapter of the revised
3 statutes shall be so altered and modified, that the pen-
4 alty for every swine, or neat beast, that shall go at
5 large contrary to the provisions of said chapter,
6 shall be seventy-five cents.

SECT. 4. Each city, or town, shall be responsible
2 in damages to the party injured, for all illegal doings,
3 or defaults, of its pound-keeper, in any appropriate
4 action to recover such damages; and such pound-
5 keeper shall give a bond, with sufficient surety, or
6 sureties, to be approved by the aldermen, or select-
7 men, for the faithful performance of the duties of his
8 office, before he shall be entitled to act as such
9 pound-keeper.

SECT. 5. The sixteenth and seventeenth sections
2 of the thirtieth chapter of the revised statutes. and

3 chapter one hundred and forty of the public laws,
4 passed March 17, 1845, are hereby repealed, saving
5 all actions now pending. And this act shall take
6 effect from and after the first day of May next.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 4, 1853. }

ORDERED, That 350 copies of the foregoing Bill, reported
by the Committee on the Judiciary, be printed for the use of
the Legislature.

A. B. FARWELL, *Clerk.*