

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

SIXTEENTH LEGISLATURE,

JANUARY SESSION, 1836.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

AUGUSTA:

SMITH & ROBINSON.....PRINTERS TO THE STATE.

1836.

enter and stand for the purpose aforesaid. And when such person or persons shall have lodged such certificate with the Clerk of any city, town, or plantation, and shall have paid to the Treasurer of such city, town, or plantation, the tax named in the first section of this Act, or shall have given satisfactory security for the payment of the same, then the Clerk of such city, town, or plantation shall file said certificate, and make an exact record of the doings thereon, and shall, when demanded give to such person or persons an attested copy thereof, after which, he or they may keep such stud horse for the use of mares in any city, town or plantation in this State; *Provided*, that payment in any one city, town, or plantation shall be available in any other part of the State, and the refusal of such person owning or keeping such stud horse, to exhibit the said certificate to any person threatening a prosecution, shall if prosecuted, in all cases subject the said owner or keeper to the costs of prosecution.

—may have copy of record.

—on complying with requirements in this sect. may keep such horses for mares.

Penalty for keeping horses for mares contrary to provisions of law.

SECT. 3. *Be it further enacted*, That if any person or persons shall own or keep for the use of mares any stud horse contrary to the provisions of this Act, he or they shall forfeit and pay not less than fifty dollars nor more than seventy-five dollars, to be recovered in any Court competent to try the same, one half to the use of the complainant and the other half to the use of the county where the same shall be tried.

[*Approved by the Governor, March 24, 1836.*]

Chapter 227.

AN ADDITIONAL ACT providing for the payment of costs in criminal proceedings.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That in all criminal prosecutions, hereafter

Justices of the Peace allowed

commenced before any Justice of the Peace, the County Commissioners of the several Counties be and they hereby are authorized to allow to said Justice, when the person accused is acquitted, the same fees as are allowed by law to be taxed where the person is convicted, to be paid out of their County Treasury at the charge of the County in the same manner as is provided in the first section of an act to which this is in addition.

same fees when persons examined before them are acquitted as when they are convicted.

SECT. 2. *Be it further enacted,* That in all cases where the complainant in any criminal prosecution is a police officer and constable, duly qualified and acting under the authority of any town or city, it shall be the duty of the Justice or Judge, before whom said complaint may be heard to tax and allow for the use and benefit of the complainant his fees as constable any law to the contrary notwithstanding.

Where complainant is a police officer and constable, to be allowed fees as constable.

[Approved by the Governor, March 25, 1836.]

Chapter 228.

AN ACT in addition to an Act regulating Judicial Process.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That it shall be the duty of the Clerks of the several Courts to tax all subpœnas issued by a Justice of the Peace for the party prevailing, together with the fees of serving the same, in the same manner as he is required by law to tax subpœnas and the fees of service when issued by the Clerks of said Courts. And the attendance of said witness, if duly summoned, may be compelled in the same manner as if he had been summoned by a Clerk of said Courts.

Subpœna issued by Justices of the Peace and service of same to be taxed in bill of cost.

Witnesses compelled to attend on such subpœnas.

SECT. 2. *Be it further enacted,* That for the service of a subpœna, notice to an adverse party, or other process in which there is no command to

—fees for service of subpœna or notice to adverse party, &c.