

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1853.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
Feb. 26, 1840, and March 16, 1842.

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

1853.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1853.

after the word "Somerset," and by inserting the word "Waldo" before the word "Piscataquis;" and the seventh section of said act shall be amended by striking out the word "Waldo" before the word "Somerset" and inserting the word "Waldo" after the word "Hancock."

Order of entries.

SECT. 3. All cases at law or in equity, pending in the middle judicial district court, which have been removed from the courts holden within and for the county of Waldo, and entered upon the docket of said district court, shall be transferred to, and entered upon the docket of the eastern judicial district court and have day therein; and all cases pending in the courts holden within and for the county of Waldo, which by the provisions of the act to which this is additional, should be entered at the term of the district court to be held at Augusta, on the second Tuesday of June next, shall be entered at the district court to be held at Bangor on the second Tuesday of July next and have day therein.

Cases now pending.

SECT. 4. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 19, 1853.]

Chapter 17.

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:

SECT. 1. When any beast shall be impounded, and proceedings had, in the manner set forth in the fifteenth and preceding sections of the thirtieth chapter of the revised statutes, if the forfeiture, damages, fees, charges, and costs shall not be paid, or the beast replevied, within ten days after the notice provided in the fifteenth section shall have been given, the pound-keeper shall without any other process, sell the said beast at public auction, after having posted up in two public places in the town or city where said beast shall be impounded, at least forty-eight hours before the time of sale, notices of the time and place and cause of said sale, in which he shall insert a brief description of the beast; and for posting such notices and making such sale, he shall be allowed the same fees that are allowed by law to sheriffs and constables for similar services, and if the pound-

Impounded beasts.

Pound-keeper shall sell after notice.

--his fees.

CHAP. 17.

Proceedings if he has reason to believe the beast has strayed from a drove, &c.

Disposal of proceeds of sale.

Pound-keeper to keep a book of records.

Fees for making record.

Proceedings where damages are claimed.

Penalty for beasts going at large.

Liability of towns for doings of pound-keeper.

Bond of pound-keeper.

Inconsistent acts repealed.

keeper shall be informed or have reason to believe that the beast impounded has strayed from a drove or probably does not belong to an inhabitant of the town, it shall be his duty to adjourn the sale for thirty days after the time of sale so advertised by him, and shall give notice of such adjourned sale by publishing an advertisement of the same in such papers as in his opinion may give information to the owner, and he shall charge and be allowed a reasonable sum in addition to the fees aforesaid for the publishing of such notice. And the proceeds of such sale shall be disposed of in the manner provided in the eighteenth section of said thirtieth chapter. And the said pound-keeper shall in a book to be provided at the expense of the town or city, make a record of all his proceedings in such impounding and sale, the price for which said beast is sold, the name of the purchaser, and the disposal of the proceeds of such sale; and a copy of said record duly attested by such pound-keeper, or his successor in office, shall be evidence for the purchaser of his title to said beast, and of the truth of the facts therein set forth. And for making such record, and for each copy thereof, the pound-keeper shall be entitled to receive twenty-five cents. And said book shall be delivered by the pound-keeper to his successor in office, and shall be open to inspection of all persons interested therein.

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

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

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

SECT. 5. The sixteenth and seventeenth sections of the thirtieth chapter of the revised statutes, and chapter one hundred and forty of the public laws passed March seventeenth, eighteen

hundred and forty-five, are hereby repealed, saving all actions now pending. And this act shall take effect from and after the first day of May next.

CHAP. 18.

[Approved March 22, 1853.]

Chapter 18.

An act repealing an act regulating the survey of lumber on the Kennebec river.

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

SECT. 1. An act entitled an act regulating the survey of lumber on the Kennebec river, approved April twenty-third, eighteen hundred and fifty-two, is hereby repealed.

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

[Approved March 22, 1853.]

Chapter 19.

An act to establish the state reform school.

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

SECT. 1. There shall be established in the town of Cape Elizabeth, in the county of Cumberland, on land conveyed to the state for that purpose, a school for the instruction, employment and reform of juvenile offenders, to be called the State Reform School; and the government of said school shall be vested in a board of five trustees, to be appointed by the governor by and with the advice of the council.

Location.

Trustees.

SECT. 2. It shall be the duty of said trustees to take charge of the general interests of the institution; to see that its affairs are conducted in accordance with the requirements of the legislature, and of such by-laws as the board may from time to time adopt for the orderly and economical management of its concerns; to see that proper discipline is maintained therein; to provide employment for the inmates, and bind them out, discharge or remand them as is hereinafter provided; to appoint a superintendent, and such other officers, as in their judgment the wants of the institution may require; to prescribe the duties of all the officers thereof; to exercise a vigilant supervision over

—their duties.