

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

EXTRA SESSION OF THE THIRTY-SECOND LEGISLATURE, 1853,

AND THE

THIRTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE,

1854.

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

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1854.

SECT. 2. It shall be the duty of the mayor and aldermen of any city, and of the selectmen of any town, and they are hereby authorized, whenever, and so long as the public safety may in their opinion require it, to direct and cause the entrances of all the ways aforesaid, within their respective cities or towns, entering on, and uniting with any existing public way to be closed up, or by such other means as may be practicable and suitable, to give notice and caution the public against entering upon such ways.

Selectmen authorized to close up such ways.

If such entrances shall not be closed, or notice shall not be given as aforesaid, the city or town, in which such way may be, shall be liable for damages caused by any defects therein in the same manner as if such ways were duly laid out and established; but notwithstanding anything in this act contained, the person or persons by whom such ways shall be opened, and suffered to remain in an unsafe condition, shall be liable to indictment or to action for damages, on account of any defect existing therein, before the same shall be duly laid out and established.

If not closed, liable for damages.

Liability of persons opening such ways.

SECT. 3. If any person with the intention to prevent the closing of such ways, shall displace, throw down, or remove any fence, or other obstruction, by which the entrance of such ways shall have been closed as aforesaid, he shall forfeit and pay a sum not less than ten, nor more than fifty dollars, for every such offense, to be recovered by an action of debt, in the name, and to the use of the city or town within which the offense shall be committed.

--for removing any fence with intention to prevent the closing of such way.

SECT. 4. Nothing in this act contained, shall discharge any city or town, or any person, from any liabilities incurred before the passage of the same, nor be a bar to any action or prosecution heretofore commenced.

[Approved April 15, 1854.]

Chapter 82.

An act giving further powers to county commissioners in certain cases.

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

The county commissioners, in their several counties, shall have the same power to examine and correct bills of cost duly certified, and returned to them by justices of the peace and judges of municipal and police courts, in cases where search

Powers of county commissioners to correct certain bills of costs.

CHAP. 83.

warrants have been issued by any such justice or judge under the provisions of law, as said commissioners now have by the twelfth section of chapter one hundred and fifty-two of the revised statutes, to examine and correct certain other bills of costs.

[Approved April 15, 1854.]

Chapter 83.

An act to establish the salary of the county attorney of the county of Penobscot.

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

County attorney,
Penobscot,
salary \$500.

SECT. 1. The county attorney of the county of Penobscot shall receive the annual salary of five hundred dollars, from and after the first day of January, in the year of our Lord one thousand eight hundred and fifty-four, in the manner provided by chapter thirty-six of the public laws of eighteen hundred and fifty three, instead of the sum therein allowed.

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

[Approved April 15, 1854.]

Chapter 84.

An act additional, concerning municipal and police courts.

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

Municipal and
police courts,
powers of judges
extended.

SECT. 1. Judges of municipal and police courts in this state, shall, in addition to their powers and duties under existing laws, have the same powers and jurisdiction in their respective counties, in all civil and criminal causes and matters, which now are, or hereafter may be vested in justices of the peace by law, and may do and perform all acts and duties which may legally be done and performed by justices of the peace.

Matters and
things pending,
to be continued
in case of death,
resignation, &c.,
of judge.

SECT. 2. In case of the death, resignation, or removal from the city or town of any such judge, or his office in any manner becoming vacant, all causes and matters pending in his court, shall be continued until his successor may be appointed and qualified; and all writs and warrants returnable before said