

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE,

1855.

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

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1855.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1855.

Chapter 123.**CHAP. 123.**

An act to increase the salary of the register of probate for the county of Franklin.

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

SECT. 1. From and after the first day of January, one thousand eight hundred and fifty-five, the salary of the register of probate, for the county of Franklin, shall be two hundred and fifty dollars annually, payable quarterly, in four equal payments; and all acts and parts of acts, inconsistent with this act, are hereby repealed.

Register of probate, salary increased.

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

[Approved February 12, 1855.]

Chapter 124.

An act to amend chapter one hundred and seventy-three of the revised statutes, and chapter one hundred and thirty-six of the public laws for the year eighteen hundred and forty-nine.

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

SECT. 1. Any justice of the supreme judicial court, or any two justices of the peace and quorum, within and for the county where any person is confined by the provisions of the first and second sections of chapter one hundred and seventy-three of the revised statutes, may discharge such person from confinement, on satisfactory proof that his or her going at large will not be dangerous to the safety of the citizens and peace of the state.

Certain insane persons, how discharged.

SECT. 2. Said justice of said supreme court, or two justices of the peace and quorum, may, on application of any friend of such insane, commit said insane person to the custody and safe keeping of such friend, said applicant first giving bond, with sufficient sureties, to the judge of probate for said county, conditioned for his or her safe keeping, and for the payment of all damages which any person may sustain by reason of the acts of said insane person; said bond to be approved by the justice of said court or said justices of the peace and quorum.

May be given up to friends by giving bond to judge of probate.

Bond, how approved.

SECT. 3. The justices of the peace and quorum, as provided in the first and second sections of this act, shall be chosen, one by the friends of the person confined under the provisions of the first and second sections of the act, chapter one hundred and seventy-three of the revised statutes, and one by the trustees of the insane hospital.

Justices, how chosen.

CHAP. 125.

Chap. 136, stat.
1849, amended.

Certain insane
persons not to
be removed.

Certain statutes
repealed.

SECT. 4. Chapter one hundred and thirty-six of the public laws, approved August fourteenth, eighteen hundred and forty-nine, is hereby amended by striking out, in the eleventh line, the words "district court or," and by inserting after the words "judicial court," in the twelfth line, the words "or any patient afflicted with homicidal insanity;" and the clause will then read: *provided, however,* that no person committed by order of the supreme judicial court, or any patient afflicted with homicidal insanity, shall be removed under the provisions of this act.

SECT. 5. The third, fourth, fifth, and sixth sections of chapter one hundred and seventy-three of the revised statutes are hereby repealed.

SECT. 6. This act shall take effect and be in force from and after its approval by the governor.

[Approved February 19, 1855.]

Chapter 125.

An act further defining the power of mayors of cities, in the election of city officers.

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

Casting vote of
mayor, how
construed.

Election of per-
sons having an
equality of votes,
how determined.

SECT. 1. All the provisions in the respective acts incorporating the several cities in this state, which authorize the mayor of any city to give a casting vote in the election of city officers, shall be construed to mean and require, that in the election of any officer, by ballot, in the board of aldermen or in convention of the aldermen and common council, if any two or more present voted for, shall each have one-half of the ballots cast, the mayor shall determine and declare which one or more of the persons having such equality, shall be elected, not exceeding the number required to be chosen.

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

[Approved February 20, 1855.]