

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1856.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1830, February 26, 1840,  
and March 16, 1842.  
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Augusta:
FULLER & FULLER, PRINTERS TO THE STATE.
1856.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1856.

CHAP. 214. his agent or attorney. If the creditor shall neglect or refuse to make selection of a justice at the time appointed for the disclosure, the second justice may be selected by the officer having the debtor in charge, or if the debtor is at large, by any officer who might legally serve the precept on which he was arrested. In case the justices so selected do not agree, they may select a third, and a majority shall decide. If said justices cannot agree on a third justice, he may be selected by the officer as above provided, in case of neglect or refusal of the creditor to make a selection.

—of third justice, in case of disagreement.

Sec. 46, ch. 148, R. S. repealed.

Chap. 88 of public laws of 1845, repealed.

SECT. 2. Section forty-six of chapter one hundred and forty-eight of the revised statutes, and chapter eighty-eight of the public laws of the year eighteen hundred and forty-five, are hereby repealed; but this act shall not affect disclosures already commenced.

[Approved March 13, 1856.]

Chapter 214.

An act providing for the appointment and duties of a recorder of the police court of Bangor.

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

Recorder, his appointment and duties.

SECT. 1. There shall be a recorder of said court, who shall always be a justice of the peace, and duly qualified as such, and shall be appointed by the governor, by and with the advice and consent of the council. He shall be duly sworn as recorder, and shall keep a fair record of the proceedings of the court, and deliver copies when required, for the same fees which are allowed to justices of the peace.

Fees.

Recorder's powers in absence of the judge.

SECT. 2. When the judge is absent, it shall be the duty of the recorder, and he shall have authority, to exercise all the powers of the judge, excepting the trial of issues in civil actions.

Justice of the peace, substituted in absence of the judge and recorder.

SECT. 3. If the judge and recorder are both necessarily absent, the judge may designate some justice of the peace duly qualified, to perform the duties of his office; or, if the judge should not so designate a justice of the peace, the recorder may do it.

Provisions, when office of judge is vacant.

SECT. 4. When the office of judge shall be vacant, the recorder shall finish the business before the court; and during the continuance of such vacancy, the justices of the peace, re-

siding in the city of Bangor, may perform all acts and duties appertaining to the office of justice of the peace. CHAP. 215.

SECT. 5. When the judge is occasionally absent from the room or office in which the court is held, the recorder shall have power, on proper complaint, to issue warrants for the apprehension of persons charged with any criminal offense, or breach of the peace; and such warrants shall have the same authority as if issued by the judge. When the recorder may issue warrants.

SECT. 6. The salary of said judge shall be six hundred dollars instead of the sum now allowed by law. The salary of the recorder shall be four hundred dollars, and the same, respectively, shall be paid in quarterly payments from the treasury of the county of Penobscot. Judge, salary of.
Recorder, salary of.

SECT. 7. The ninth section of the act entitled "An act to establish a police court in the city of Bangor," approved February twenty-eighth, one thousand eight hundred and fifty-six, together with all other acts and parts of acts inconsistent with this act, are hereby repealed; and this act shall take effect from and after its approval by the governor. Certain acts repealed.

[Approved March 14, 1856.]

Chapter 215.

An act further regulating the construction of wharves in tide waters.

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

SECT. 1. In all cases where municipal officers, or the city council of any city are authorized by law to permit the construction or extension of any wharf in tide waters, it shall be their duty, before acting upon any application for that purpose, to require the applicant to give notice, at his own expense, by publication in at least two newspapers, of the pendency of such application, and of the time appointed for hearing thereon, which notice shall be first published not less than fourteen days before the time of hearing. Wharves in tide waters.
Applicant required to give notice, &c.

SECT. 2. This act shall take effect upon its approval by the governor.

[Approved March 14, 1856.]