

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

1857.

Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26, 1840,
and March 16, 1842.

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1857.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1857.

her support, in the insane hospital or otherwise, as may be necessary, and for that purpose to sell her real estate, as guardians of other incapacitated persons may.

[Approved April 13, 1857.]

Chapter 41.

An act to make valid the doings of selectmen and superintending school committees, in certain cases.

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

The doings of the selectmen and superintending school committees, of the several towns in this state, who, in the year eighteen hundred and fifty-six, distributed any portion of the monies raised for the support of schools among the small districts, under the provisions of an act approved March thirteen, eighteen hundred and fifty-five, are hereby made valid, in the same manner as if said act had not been repealed.

Certain doings of selectmen and superintending school committees made valid.

[Approved April 13, 1857.]

Chapter 42.

An act in addition to chapter two hundred and fifty-six of the public laws of the year eighteen hundred and fifty-six, relating to the disclosure of poor debtors.

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

SECT. 1. The fees of the officer for arresting a debtor on execution, if he discloses without giving bond, shall be fifty cents, and his travel from the place of arrest to the place of disclosure, at the rate of four cents a mile; for keeping the prisoner, one dollar a day, for each day, until on disclosure he is by the justices discharged, or remanded into his custody on the execution, and one dollar a day for every assistant by him necessarily employed in the keeping of the debtor after arrested; for notifying the creditor and the justices, twenty-five cents each, and necessary travel, at the rate of four cents a mile. No officer shall be required by law to arrest a debtor on execution, unless a reasonable amount for his fees and charges herein provided for, is first paid or secured to his satisfaction. He shall account for the amount so paid, and restore the overplus to the

Fees of officer for arresting debtor on execution, established.

Officer not required to arrest, unless fees be paid, &c.

—to account for amount paid, &c.

CHAP. 43.

creditor, and be liable therefor in the same manner as for money collected on execution.

Proceedings in case debtor is not admitted to the oath.

Officer entitled to certain fees additional.

Proceedings in case debtor is admitted to the oath.

SECT. 2. If the debtor is not admitted to the oath by the justices, they shall make a certificate of their doings upon the execution, and remand the debtor to the custody of the officer, and the officer shall make return of the fees and charges so incurred, which shall be added to his fees on the execution, to be paid by the debtor. If the debtor is admitted to the oath by the justices, they shall make a certificate of the fact upon the execution, and the officer shall make his return upon the execution, and no execution thereafter issued on the same judgment shall run against the body of the debtor.

Officer not required to arrest, unless directions are endorsed on execution. —may commit to custody of jailer, in certain cases.

SECT. 3. The officer shall not be required to arrest the debtor, unless there shall be endorsed upon the execution a written direction so to do, signed by the creditor or his attorney. If the officer apprehends that the debtor intends to escape, and that he cannot otherwise safely keep him, he may commit him to the custody of the jailer of the county jail, for safe keeping.

[Approved April 14, 1857.]

Chapter 43.

An act additional to "an act further to protect personal liberty."

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

Duty of county attorney in cases of persons arrested and claimed as fugitive slaves.

SECT. 1. When it shall come to the knowledge of any county attorney that any person has been arrested, at any place within his county, and is claimed as a fugitive slave, under the provisions of any act of congress, the said county attorney shall immediately repair to the place where such person is held in custody, and render him all necessary and legal assistance in making his defense against said claim.

Same subject.

SECT. 2. It shall be the duty of the said county attorney to summon such witnesses as he shall deem necessary to substantiate such defense, whose fees, and all other necessary and legal expense incurred in making such defense, shall be paid by the state.

SECT. 3. This act shall take effect from and after its approval by the governor,

[Approved April 14, 1857.]