

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.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1857.

stockholders may, by their vote or votes aforesaid, determine. And a conveyance or conveyances, made in pursuance of such vote or votes, shall be valid and effectual to pass any property therein described, held by said corporation, whether the same were acquired by virtue of the act to which this is additional, or of any acts additional thereto, heretofore passed.

CHAP. 5.

Conveyance shall be valid.

[Approved February 16, 1857.]

Chapter 5.

An act enlarging the powers of constables in the city of Calais.

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

SECT. 1. Any constable of the city of Calais may serve within its limits any civil process, wherein the damages sued for or recovered shall not exceed six hundred dollars, including those in which said city is a party; *provided, however,* that he shall first give to the treasurer thereof a bond, with sureties, in the penal sum of three thousand dollars, to be approved, in writing, on the back of said bond, by the mayor and aldermen. For every process served by him, before its approval, he shall forfeit not less than one hundred, nor more than five hundred dollars, to be recovered in an action of debt, to the use of any person who may sue therefor. Any person suffering through his default, or misdoings, may have the same remedies on his bond as are provided in respect to sheriffs' bonds, and shall be subject to the same liability for the payment of costs.

Constables, powers of, enlarged.

Proviso.

Bond, \$3,000.

—how approved.

Forfeiture.

Remedies for default.

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

[Approved February 19, 1857.]

Chapter 6.

An act relating to the municipal court of the city of Biddeford.

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

SECT. 1. The act entitled "An act further defining the jurisdiction and powers of the municipal court of the city of Biddeford," approved April first, eighteen hundred fifty-six, and an act additional to the same, approved April ninth, eighteen hundred fifty-six,

Certain acts repealed.

CHAP. 6.

are hereby repealed; and all acts, and parts of acts, repealed by the acts aforesaid, are hereby revived.

Act of March 14,
1866, amended.

SECT. 2. The act entitled "An act to establish a municipal court in the city of Biddeford," approved March fourteenth, eighteen hundred fifty-five, shall be amended in the thirteenth line, by striking out the word "either," and inserting the word "both;" and in the fourteenth line, by adding after the word parties, "or the plaintiff in any suit;" and the following words shall be stricken out: "or in which any person who shall appear of record are interested in any such suit."

Recorder,
appointment of.

SECT. 3. The fifth section of said act shall be stricken out, and in lieu thereof shall be as follows: The judge shall appoint a recorder, who shall be a justice of the peace and of the quorum, duly qualified, who shall be sworn by said judge, and who shall keep the records of said court, when requested so to do by said judge; and in case of absence from the court room, or sickness of the judge, or whenever requested by him so to do, or when the office of judge shall be vacant, the recorder shall have and exercise all the powers of the judge, and perform all the duties required in this act of the judge, and generally shall be fully empowered to sign and to issue all processes and papers, and do all acts as fully and with the same effect as the judge could do, were he acting in the premises; and the signature of the recorder, as such, shall be sufficient evidence of his right to act, instead of the judge, without any recital of the facts herein before named, authorizing him to act. When the office of judge is vacant, the recorder shall be entitled to the fees; in all other cases, he shall be paid by the judge.

—shall perform
the duties of
judge in certain
cases.

If office of judge
is vacant,
recorder to
receive fees.

Judge, fees of.

SECT. 4. The seventh section of said act shall be stricken out, and in lieu thereof a new section shall be inserted, as follows: The fees of the judge, which he may demand and receive, for his services, shall be as follows: for every blank writ signed by him, four cents; for entry of civil action, forty cents; for every warrant issued by him, seventy-five cents; for the trial of an issue in a civil or criminal case, one dollar; and the same sum for every day occupied in the hearing of a case, after the first day; and for all fees not herein specified, he shall receive the sums allowed for similar services to justices of the peace; *provided always, however*, that when the fees of said court, paid to said judge, shall exceed the sum of six hundred dollars per year, one-half of the excess, over and above that sum, shall be paid to the city of Biddeford; and said judge shall exhibit, under oath, to the treasurer of the city of Biddeford, on or before the fifteenth day of February, in each year, a true account of all moneys received, arising from the fees of said court.

Proviso.

SECT. 5. The justices of the peace, in the city of Biddeford, shall have jurisdiction and power over all actions, suits, matters and things pending before them, at the time of the passage of this act, or commenced previous to that time, and returnable before them, on a day subsequent thereto, and to the same extent as if this act had not passed; and in like manner shall have power and jurisdiction to issue any execution on any judgment recovered, or which shall be recovered, in any action or suit, in the same manner, and with the same effect, as if this act had not passed.

CHAP. 7.

Justices of the peace, jurisdiction and powers of.

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

[Approved February 25, 1857.]

Chapter 7.

An act to incorporate the Royal River Manufacturing Company.

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

SECT. 1. Harrison J. Libby, Francis O. Libby, Royal Leighton, Eleazer Burbank, Barnabas Freeman, Joseph Chandler, their associates, successors and assigns, are hereby constituted a body corporate, by the name of the Royal River Manufacturing Company, for the purpose of manufacturing cotton goods, in the town of Yarmouth, in the county of Cumberland, with all the powers and privileges, and subject to all the duties and liabilities, provided in the laws of this state, concerning such corporations, and authorized to purchase and hold real and personal estate, not exceeding in value at any one time the sum of fifty thousand dollars; and the same may improve, lease, sell and convey, as other proprietors of real and personal estate may lawfully do.

Corporators.

Corporate name.

Powers and privileges.

May hold real and personal estate not exceeding \$50,000.

SECT. 2. Any two persons named in this act may call the first meeting of said corporation, at such time and place as they may see fit, by giving two weeks notice in some paper published in Portland, for the purpose of organizing said corporation.

First meeting, how called.

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

[Approved February 25, 1857.]