

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

1858.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February  
26, 1840, and March 16, 1842.  
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1858.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1858.

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## CHAP. 41.

When a second review may be granted.

SECT. 3. A second review in a civil action may be granted if a petition therefor is filed within three years after the judgment on the first review, when in the opinion of the court, justice manifestly requires it, and on such terms as the court may impose.

SECT. 4. This act shall take effect on its approval by the governor.

[Approved March 27, 1858.]

### Chapter 41.

An act relating to fines and costs of criminal prosecutions.

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

Acts repealed.

SECT. 1. So much of all acts of this state as require fines, forfeitures and costs received in the administration of criminal justice in the several counties to be paid into the treasury of the state, and so much of all acts as provide for the reimbursement to county treasurers of the costs and expenses of criminal prosecutions, and the support of prisoners in jail, or any part thereof, from the treasury of the state, are hereby repealed, *provided* that this act shall not affect any rights which accrued prior to its passage.

Proviso.

Fines, &c. how to be paid.

SECT. 2. All fines, forfeitures, and costs, by law enuring to the state shall be paid into the treasury of the county in which the offence is prosecuted, for the use of such county, and all the costs and expenses, attending the administration of criminal justice shall be paid by the county in which the prosecution is made; *provided* that nothing in this act shall be construed to change the forms and mode of proceedings now established for the prosecution of offences.

Expenses to be paid by county.  
Proviso.

Costs and expenses, how to be audited.

SECT. 3. The costs and expenses of criminal prosecutions shall be examined and audited in the several counties in the same manner as other county expenses are, but it shall be the duty of the supreme judicial court to allow bills of costs as they are now authorized to do.

Clerk of courts to attest duplicate copies of bills.

SECT. 4. The clerk of the courts in the several counties shall attest duplicate copies of all bills of costs allowed by said courts, and certificates of all fines and forfeitures imposed and accruing to the county, before the rising thereof or as soon thereafter as may be, and deliver one of said copies and certificates to the county treasurer and retain one himself for the use of the county commissioners.

SECT. 5. It shall be the duty of each county treasurer at the close of the terms of the supreme judicial court in his county, and at the court of the county commissioners to cause to be published in some paper printed in said county three weeks successively, a list containing the aggregate amount of cost allowed in each case, and specifying the court or magistrate that allowed the same and before whom the case originated.

## CHAP. 42.

County treasurer to publish list of bills of costs, &c

SECT. 6. Section nine of chapter eight, section six of chapter seventy-nine, and sections eight, ten and eleven of chapter one hundred and thirty-six of the revised statutes, and all acts and parts of acts requiring a transmission of copies of bills of cost, and accounts for payment of money for bills of cost, by the clerks of the courts, or the county treasurers; to the secretary of state, or the treasurer of state, are hereby repealed.

Sect. 9, ch. 8; sect. 6, ch. 79; sects. 8, 10 and 11, ch. 136, R. S., &c. repealed.

SECT. 7. This act shall take effect when approved by the governor.

[Approved March 27, 1858.]

### Chapter 42.

An act regulating the taxation of costs, additional to chapter one hundred sixteen of the revised statutes.

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

SECT. 1. In taxing costs of suit in the supreme judicial court, attendance shall be allowed until the action is disposed of, unless the court shall otherwise direct, but no more than ten days attendance at any one term shall be taxed in any action for either party.

Attendance, how to be taxed.

SECT. 2. This act shall take effect when approved by the governor.

[Approved March 27, 1858.]