

# 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  
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1858.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1858.

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## CHAP. 53.

## Chapter 53.

An act to amend chapter eighty-four of the revised statutes, in relation to levy of executions against towns.

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

Duty of officer having execution or warrant.  
Assessors to assess and give notice.

SECT. 1. Whenever an execution or warrant of distress is issued against a town, the officer having the same, shall notify the assessors thereof, and the assessors shall forthwith assess the same, together with the officer's fees, on the inhabitants and estates, and shall give notice of the same in the manner in which town meetings for said town are notified, specifying in said notice the amount of said execution or warrant, and the fact that it has been assessed; and any inhabitant of said town, or proprietor of lands therein, may within ten days after said notice has been given, pay his proportion of said execution or warrant, and his person and property shall be thereby discharged from such execution or warrant; and after the expiration of said ten days the officer may levy the balance of said execution or warrant remaining unpaid, on the property of any inhabitant of said town, or on the lands in said town of any proprietor of lands therein, who has not paid his proportion of the same according to said assessment.

Proportion may be paid.

Officer may levy for balance.

If assessors neglect, officer may levy.

SECT. 2. Whenever the assessors of any town having been called upon as provided in the foregoing section, shall neglect or refuse for the space of thirty days to make the assessment provided for in said section, the officer holding the execution or warrant may levy the same on the property of any inhabitant of said town, or on the lands of any proprietor of lands therein, according to the provisions of chapter eighty-four of the revised statutes.

Sect. 32, ch. 84, R. S. repealed.

SECT. 3. Section thirty-two of chapter eighty-four of the revised statutes, is hereby repealed.

[Approved March 29, 1858.]

## Chapter 54.

An act for the suppression of certain common nuisances.

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

Certain places declared common nuisances.

SECT. 1. All buildings, places or tenements, used as houses of ill-fame, resorted to for prostitution, lewdness, or for illegal gaming, or used for the illegal sale or keeping of intoxicating liquors, are

hereby declared to be common nuisances, and are to be regarded and treated as such whether the same be kept and controlled by individuals, or by clubs, corporations or associations.

SECT. 2. Any person keeping or maintaining any such common nuisance, shall be punished by fine not exceeding one thousand dollars, or by imprisonment in the county jail not more than one year.

Punishment for keeping.

SECT. 3. If any person being a tenant or occupant, under any lawful title, of any building or tenement not owned by him, shall use said premises or any part thereof for any of the purposes enumerated in the first section of this act, such use shall annul and make void the lease or other title under which said occupant holds, and without any act of the owner shall cause to revert and vest in him the right of possession thereof; and said owner may make immediate entry, without process of law, upon the premises, or he may avail himself of the remedy provided in the ninety-fourth chapter of the revised statutes; and the provisions of said chapter shall be deemed to extend to all such cases; and any person appealing from any judgment rendered upon said complaint, shall be required to enter into the same recognizance now provided by said chapter ninety-four.

—lease to tenant void if place so used.

—right of owner in such case.

May make entry without process.

Ch. 94, R. S. applicable.

—recognizance on appeal.

SECT. 4. If any person shall knowingly let any building or tenement owned by him, or under his control, for any of the purposes in the first section of this act enumerated, or shall knowingly permit any such building or tenement, or part thereof, to be so used while under his control he shall be deemed and taken to be guilty of aiding in the maintenance of such nuisance, and be punished by a fine of not less than one hundred nor more than one thousand dollars, or by imprisonment in the county jail not less than thirty days, nor more than six months.

Liability of owner.

—punishment.

[Approved March 29, 1858.]