

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## THIRTY-EIGHTH LEGISLATURE

OF THE

## STATE OF MAINE.

1859.

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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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**AUGUSTA:**  
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1859.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1859.

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**Chapter 77.**

CHAP. 77.

An act additional to chapter twelve of the revised statutes, relating to recording deeds of lots in burial grounds.

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

SECT. 1. Any person who may purchase a lot in any private cemetery, may have his deed recorded in the office of the clerk of the town in which such cemetery is located, and it shall have the same effect as if recorded in the registry of deeds for the county.

Deed may be recorded in office of town clerk.

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

[Approved March 22, 1859.]

**Chapter 78.**

An act to amend chapter nineteen of the revised statutes, respecting the law of the road.

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

Chapter nineteen, section eight of the revised statutes is hereby amended by striking out said section and inserting instead thereof the following, viz :

Ch. 19, sec. 8, R. S. amended.

SECT. 8. For a willful violation of the provisions of the preceding section, a person forfeits not exceeding ten dollars, nor less than three dollars, to be recovered on complaint, one half to the use of the owners of the bridge, the other half to the state, *provided*, that a board legibly painted in black letters on white ground is kept exposed in some conspicuous place at each end of the bridge, giving notice that the provisions of this and the preceding section will be enforced against any person violating the same.

Penalty for driving faster than a walk over bridge—proviso.

[Approved March 24, 1859.]

**Chapter 79.**

An act to prevent abuses of the statute, relating to the testimony of parties to suits at law.

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

The eighty-third section of the eighty-second chapter of the revised statutes, is hereby amended by adding the following words, to wit :

Ch. 82, sec. 83, R. S. amended.

## CHAP. 80.

Representative party being nominal only, preceding sections apply, and parties may testify.

If however, such representative party is nominal only, the interest being in another or others, in whose name or names the action might have been brought, or might be defended, the said five sections shall apply, and such nominal party and the adverse party may be examined as witnesses.

[Approved March 29, 1859.]

### Chapter 80.

An act to amend section eight, chapter seventy-eight of the revised statutes, relating to powers of county commissioners in respect to county jails.

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

Ch. 78, sec. 8,  
R. S. amended.

SECT. 1. The eighth section of the seventy-eighth chapter of the revised statutes, is hereby amended by adding thereto the words following, "and said commissioners may authorize the employment, for the benefit of the county, of prisoners committed for crime, in some suitable manner not inconsistent with the discipline of the prison and the security of the prisoners;" so that the whole of said section may read, as follows :

Commissioners to provide jails.

— to examine jails at each session.

— may authorize employment of prisoners for benefit of county.

SECT. 8. When wanting, in each town where the supreme judicial court is held, they shall provide jails, and separate apartments in them for lodging prisoners for debt separate from criminals. At the commencement of each session required by law, they shall examine the prison, take necessary precaution for the security of prisoners, for the prevention of infection and sickness, and for their accommodation; and said commissioners may authorize the employment for the benefit of the county, of prisoners committed for crime, in some suitable manner not inconsistent with the discipline of the prison and the security of the prisoners.

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

[Approved March 29, 1859.]

### Chapter 81.

An act to establish the compensation of the county commissioners for the county of Cumberland.

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

County commissioners of Cumberland, salary of.

SECT. 1. Instead of the compensation now provided by law, the county commissioners of the county of Cumberland shall each