

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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1859.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1859.

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

receive a yearly salary of five hundred dollars, to be paid in quarterly payments, out of the treasury of the county, from and after the first day of April next, and no fees, costs, compensation or emoluments of office whatever, shall be allowed or paid from the treasury of the county to said commissioners, except the salary aforesaid, which shall be in full for all travel, expenses, and services of all kinds.

SECT. 2. When the decision of said commissioners shall be against the prayer of any petition for laying out, altering or discontinuing any highway, town or private way, the cost recoverable against the petitioners shall be taxed according to the provisions of chapter eighteen of the revised statutes, in the same manner as before the passage of this act.

— deciding against petition for laying out highway, costs how taxed.

SECT. 3. It shall be the duty of said commissioners, at the end of each year, to make out a statement of the financial condition of the county, showing in detail, all moneys received into and paid out of the treasury, and such other facts and statistics, as may be necessary to exhibit the true state of the finances of the county; and they shall publish in pamphlet form, a reasonable number of copies of the same for distribution among the citizens of the county.

— to make annual statement of financial condition of county, what to contain, how to be published.

SECT. 4. This act shall take effect on the first day of April next.

[Approved March 29, 1859.]

Chapter 82.

An act to establish the compensation of the clerk of the judicial courts for the county of Cumberland.

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

SECT. 1. Instead of the compensation now provided by law, the clerk of the judicial courts for the county of Cumberland shall receive a yearly salary of fifteen hundred dollars, and shall be allowed yearly in addition thereto the sum of one thousand dollars for clerk hire; said sums to be paid him in quarterly payments out of the treasury of the county, from and after the first day of April next; said salary and clerk hire shall be in full for all services and duties required of him by law, including those performed by him as clerk of the county commissioners, or by any substitute appointed by them clerk pro tempore in accordance with the tenth section of the seventy-eighth chapter of the revised statutes, and no other

Clerk of courts of Cumberland county, salary of and clerk hire.