

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1859.

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. 116.

Certain sections, ch. 66, R. S. to apply.

No. action on claim until proved.

Commissioners report final.

notice to the claimants, the judge if upon a hearing he is satisfied that the facts set forth in said application are true, may appoint two or more commissioners, who shall after being duly sworn and notifying the parties as directed in their commission, meet at a convenient time and place, and determine whether any and what amount shall be allowed on each claim, and report to the judge at such time as he may limit. Sections five, six, seven, eight, eleven, twelve, thirteen, fourteen and fifteen of chapter sixty-six of the revised statutes, shall apply to such claims, and the proceedings thereon. No action shall be maintained on any claim committed to commissioners as herein provided, unless proved before said commissioners; and their report on all such claims shall be final, saving the right of appeal.

[Approved April 4, 1859.]

Chapter 116.

An act relating to the reform school.

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

Sec 1, of act additional to ch. 142, R. S., approved Mar. 27, 1858, amended.

SECT. 1. Section one of an act additional to chapter one hundred and forty-two of the revised statutes, relating to the reform school, approved March twenty-seven, eighteen hundred and fifty-eight, is hereby amended, by striking out in the first line of the first section the word "eleven" and inserting the word "ten."

Sec. 2, of same amended.

SECT. 2. Section two of said act is hereby amended, by striking out in the first line of said second section the word "eleven" and inserting the word "ten."

Sec. 4, of same amended. Notice mailed, sufficient.

SECT. 3. Section four of said act is hereby amended, by adding thereto the following words, "and when any written notice provided for in this section shall be duly made out, superscribed and directed to the said aldermen or selectmen, deposited in the post office in Portland, and the postage prepaid, it shall be a sufficient notice."

Sec. 5, of same amended. Superintendent may sue after three months notice.

SECT. 4. Section five of said act is hereby amended, by striking out the first sentence, and inserting the words, "At any time after three months from the time of the giving the notice required by section four, the superintendent may in his own name, for the use of the state, sue for and recover of such city or town, the expenses incurred for the clothing and subsistence of such boy, not exceeding one dollar per week, up to the time of his commencing any suit therefor."

SECT. 5. Sections six, seven and eight of said act are hereby repealed. CHAP. 117.

Secs. 6, 7 and 8, of same repealed.

SECT. 6. No action brought by the superintendent in his official capacity, shall abate by his ceasing to be in office, but his successor, upon notice, may assume its prosecution in his own name as plaintiff. All actions founded on any contract of any kind, whether in writing or under seal or not heretofore made, or that hereafter may be made, with any superintendent in his official capacity, may be brought by the person being superintendent at the time of the commencement of the suit, and in his name as plaintiff. All actions for injuries done or occasioned to the real or personal property of the state, appropriated to the use of the reform school, and under the care of the superintendent, in his official capacity, may be prosecuted in the name of the person who is superintendent at the commencement of such action.

Actions brought by superintendent may be prosecuted by successor.

Actions on contract and for injuries, how brought.

The superintendent may, with the consent of the trustees, submit any controversy, demand or suit, to the determination of one or more arbitrators or referees.

Controversies may be referred.

When a new superintendent is appointed, and accepts the office, all the books, accounts and papers belonging to the reform school, shall be delivered to him, and he shall be vested with all the powers, and subject to all the obligations with regard to any contracts that his predecessor would have been vested with, or subject to if no change had taken place in the office.

New superintendent, his rights and powers.

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

[Approved April 4, 1859.]

Chapter 117.

An act to regulate the compensation of members of the senate and house of representatives.

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

SECT. 1. Each member of the senate and house of representatives shall be paid a salary of one hundred and fifty dollars, for the regular annual session of the legislature, to which he shall have been elected, and two dollars for every ten miles travel from his place of abode, once in each session. He shall be entitled to be paid his mileage on the first day of each session, and fifty dollars of said salary on the first day of each month thereafter during the session ;

Salary of members of Senate and House.

— when payable.