

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

112

PASSED BY THE

FORTIETH LEGISLATURE

OF THE

STATE OF MAINE.

1861.

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Published by the Secretary of State, agreeably to Resolves of June 23, 1820,  
February 26, 1840, and March 16, 1842.

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AUGUSTA:  
STEVENS & SAYWARD, PRINTERS TO THE STATE.  
1861.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1861.

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**CHAP. 26.**

Governor may transmit laws, &c., to several states, &c.

SECT. 11. The governor may transmit to the governors of the several states and of the several British North American Provinces, three copies of all the laws and resolves published by order of the legislature, one copy of all public documents printed and bound by the like order, and one copy of the printed decisions of the judicial courts.

Salary of librarian, \$600.

SECT. 12. The annual salary of the librarian shall be six hundred dollars to be paid quarterly out of any money in the treasury not otherwise appropriated.

Secretary of state to have care of library, until librarian is appointed.

SECT. 13. The library shall remain as now under the care of secretary of state, until a librarian shall be appointed by the governor and council according to the provisions of this act.

Appropriation, annually \$500.

SECT. 14. Five hundred dollars shall be annually appropriated for the library and be expended in purchasing or otherwise procuring such books, maps, charts and works as shall be deemed most useful and in binding and keeping in good condition the works therein.

Catalogue.

SECT. 15. The governor and council shall cause to be faithfully and truly made a catalogue of all books, maps, charts and works now in the library and cause to be added thereto all such books, maps, charts and works as may be annually added thereto.

Inconsistent acts repealed.

SECT. 16. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 17. This act shall take effect and be in force on and after its approval by the governor.

[Approved March 13, 1861.]

## Chapter 26.

An act to amend section twelve of chapter eighty-three of the revised statutes, and section eight of chapter one hundred and sixty-four of the public laws of eighteen hundred and sixty, of an act for the appointment of trial justices.

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

SECT. 1. The twelfth section of chapter eighty-three of the revised statutes is hereby so amended as to read as follows, viz : when any trial justice is unable to attend at the time and place appointed by him for the trial of any suit already entered or at which any writ is returnable before him, any other trial justice who can legally try the same suit or any justice of the peace and quorum residing in the same or adjoining town may in either case attend and continue such action once to a day certain, not exceeding thirty days and note the fact on the writ and in his own docket, and if the inability of the trial justice before whom the writ was returnable is not removed at the time to which the action is con-

Ch. 83, sec. 12, R. S., and ch. 164, sec. 8, laws of 1860, amended.

Justice unable to attend at time appointed, any other justice peace and quorum may continue the case.

—not exceeding thirty days, and note the fact on writ, &c.

tinued and there is no other trial justice of the same town, then such action at the time and place fixed upon in the continuance may be entered before and tried by some trial justice residing in the same county where the writ was returnable who may render judgment and issue execution accordingly.

SECT. 2. Trial justices are hereby allowed a fee of five cents for continuance in all actions other than criminal.

SECT. 3. The eighth section of chapter one hundred and sixty-four of the public laws of one thousand eight hundred and sixty, is hereby amended by adding to the end thereof these words, "or acts additional thereto or amendatory thereof."

[Approved March 13, 1861.]

CHAP. 27.

If inability is not removed at time of continuance, &c.

Fee for continuance.

Ch. 164, sec. 3, law of 1860, amended.

### Chapter 27.

An act concerning bail.

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

SECT. 1. When a person is confined in jail for a bailable offence, or for not finding sureties on a recognizance, the amount of such bail or recognizance shall not be reduced by two justices of the peace and quorum, if the supreme court is in session in the county, or if a justice of such court is resident in the place where the person is confined.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

[Approved March 13, 1861.]

Bail or recognizance not to be reduced by justice peace and quorum, if S. J. C. is in session in county, &c.

Inconsistent acts repealed.

### Chapter 28.

An act for the detention and destruction of counterfeiting and gambling implements.

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

All tools, machines, dies, plates or materials provided for making counterfeit or spurious coin or for forging bank notes or other instruments, all burglar's tools or implements prepared or designed for committing the crime of burglary, all lottery tickets or materials for a lottery, or procured for the purpose of a lottery, all gaming apparatus or implements used, procured or kept to be used in gambling, when the same are found and taken by virtue of a search warrant, or found in the possession or under the control of any

Gambling tools, &c., how to be disposed of.