

# 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 28, 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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SECT. 4. Section sixty-seven of said chapter is amended by substituting for said section the words following: He shall receive a salary of ten hundred dollars, and for travelling and other expenses the sum of five hundred dollars, to be paid quarterly on the first days of April, July, October and January.

## CHAP. 56.

Section 67,  
amended.  
Salary of  
superintendent  
established.

SECT. 5. Section six of the normal school act, approved March twentieth, eighteen hundred and sixty, is hereby repealed.

Section 6 of  
normal school  
act repealed.

SECT. 6. This act shall take effect when approved.

[Approved March 16, 1861.]

### Chapter 56.

An act to amend chapter forty of the public laws of the year one thousand eight hundred and fifty-eight.

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

Chapter forty of the public laws of eighteen hundred and fifty eight is hereby amended by adding at the end of section three the following words: But no second review shall be granted in any case in which more than one verdict has been rendered against the petitioner, except by the full court; so that said section as amended shall read as follows:

Ch. 40, laws of  
1853, amended.

SECT. 3. A second review in a civil action may be granted if a petition therefor is filed within three years after the judgment on the first review, when in the opinion of the court, justice manifestly requires it, and on such terms as the court may impose, but no second review shall be granted in any case in which more than one verdict has been rendered against the petitioner, except by the full court.

Second review  
of civil action  
may be granted  
if petition is  
filed within  
three years, &c.  
—terms.  
No second  
review shall be  
granted, &c.

[Approved March 16, 1861.]

### Chapter 57.

An act relating to the state reform school.

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

SECT. 1. All commitments of boys in this institution shall be during their minority unless sooner discharged by order of the trustees as provided in this bill, and when any boy is discharged therefrom at the expiration of his term or as reformed, or at the

Commitments  
shall be during  
minority.

—effect of  
discharge.

## CHAP. 58.

Sentence, in  
certain cases.—may be  
alternative.  
—to be condi-  
tioned.

Proviso.

Expense in  
certain cases.—by whom  
paid.

age of twenty-one years, it shall be a full and complete release from all penalties and disabilities created by his sentence.

SECT. 2. When any boy between the ages of eight and sixteen years is convicted of an offence punishable by imprisonment in the state prison not for life, or in the county jail except for the offences hereinafter enumerated, the court or justice before whom he is convicted, may sentence him to the state reform school or to the other punishment provided by law for the same offence. If the sentence is to the reform school it shall be conditioned that if he is not received or kept in the reform school for the term prescribed by his sentence unless sooner discharged by the trustees as provided in section one, he shall then suffer such lawful alternative punishment as the court or justice orders, *provided* that nothing in this act shall authorize the commitment of any boy to the reform school who is deaf and dumb, noncompos or insane.

SECT. 3. When any boy between the ages of eight and sixteen years is convicted of larceny, where the property stolen does not exceed one dollar in value, of assault and battery, malicious mischief, malicious trespass, sabbath breaking, riotous conduct, disturbing the peace, embezzlement, cheating by false pretences, vagrancy, truancy, or of being a common runaway, drunkard, pilferer, night walker, or of having violated any police or municipal regulations of any city or town, punishable in the county jail or house of correction, the court or justice may sentence him to the reform school or to the other punishment, provided for the same offence in the manner prescribed by the preceding section; and the expense of transporting such boy to the reform school and of his subsistence and clothing during his imprisonment, not exceeding one dollar per week, shall be defrayed by the city or town where such boy resides, if within this state by the state.

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed.

[Approved March 16, 1861.]

## Chapter 58.

An act to amend chapter eighty and one hundred thirty-two of the revised statutes, so as to make the same conformable to the constitution of the United States or any law made in pursuance thereof.

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

Ch. 80, sec. 50,  
R. S., amended.  
Fugitive slaves  
not to be ar-  
rested or

SECT. 1. Section fifty-three of chapter eighty of the revised statutes is amended so that it will read as follows: No sheriff, deputy sheriff, coroner, constable, jailer, justice of the peace or