

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-THIRD LEGISLATURE

OF THE

## STATE OF MAINE.

1864.

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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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1864.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1864.

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**CHAP. 236.** word *five* in its place, and also insert after the word "term" in the eleventh line, *for a convict whose sentence is for a term of five years or more and less than ten years, three days for each month of good conduct during said term*, so that the section will read as follows :

Warden to keep record of conduct of convicts.

—to recommend reduction of term of sentence.  
—rate of reduction.

The warden of the state prison shall keep a record of the conduct of each convict, and for every month that such convict shall appear by such record, to have faithfully observed all the rules and requirements of the prison and shall not have been subjected to punishment, the warden shall recommend to the executive a deduction from the term of such convict's sentence, according to the following rule and proportion : for a convict under sentence for a term of less than three years, one day for each month of good conduct during said term ; for a convict whose sentence is for a term of three years or more, and less than five years, two days for each month of good conduct during said term ; for a convict whose sentence is for a term of five years or more, and less than ten years, three days for each month of good conduct during said term ; and for all other convicts except those sentenced to perpetual imprisonment, five days for each month of good conduct during said term.

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

Approved March 10, 1864.

## Chapter 236.

An act additional to chapter one hundred and seven of the revised statutes, relating to the taking of depositions.

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

Depositions, how to be taken in certain cases.

SECT. 1. Depositions may be taken in the manner authorized by the provisions of the chapter to which this act is additional, in cases of contested senatorial elections.

Depositions, &c., may be taken to secure persons, &c.

SECT. 2. Depositions and affidavits may also be taken in all cases of applications, under any law of the United States for pensions, bounties, or arrears of pay. And any person may be required to give his deposition or affidavit in such cases, in the same manner and under the same penalties as are provided in section twenty-nine of chapter one hundred and seven aforesaid.

—may be taken in the town where a civil suit, &c., is to be tried.

SECT. 3. The deposition of any person residing in the town where a civil suit or proceeding is to be tried, may be taken in any of the cases named in said chapter, or in any act additional thereto. And if at the time of the trial, it shall be shown by the party

offering it, that the deponent is dead, or has permanently removed from said town, the deposition shall be admitted in the same manner as other depositions authorized by said chapter. But this provision shall not prevent either party from producing the witness in court, in which case the deposition shall not be used.

CHAP. 237.

—not to prevent either party from producing witnesses in court.

Approved March 14, 1864.

### Chapter 237.

An act declaring the power and authority of trial justices.

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

SECT. 1. Trial justices are declared to be ex-officio justices of the peace and of the quorum, and all their official acts, attested by them in either capacity, except those pertaining to the exclusive jurisdiction of trial justices, are of equal effect.

Ex-officio, justices peace and quorum.

SECT. 2. This act shall take effect on its approval by the governor.

Approved March 14, 1864.

### Chapter 238.

An act additional to "an act to secure the safety and convenience of travellers on railroads, passed in the year one thousand eight hundred and fifty-eight."

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

SECT. 1. The railroad commissioners or a majority of them, may at any time during the year examine the railroads in this state, and their engines and cars now subject to examination by them, whenever complaint shall be made to them by two or more citizens of this state, under oath, that said road or any part thereof, is unsafe for the transportation of passengers thereon.

Commissioners to examine railroads, &c.

—when complaint is made under oath.

SECT. 2. If on such examination they shall find the track, culverts or bridges of any railroad, or the cars used to transport persons, so out of repair as in their opinion to be unsafe for travellers on said road, said commissioners shall immediately notify the directors or persons having the care and management of said railroad, of its condition and what is required to make it in a safe condition, and they shall state also in said notice a reasonable time within which such repairs shall be made. The commissioners may require the directors or persons managing said railroad, to so re-

If track, &c., is found out of repair.

—shall notify directors, &c.

—may require the managers of road to reduce speed.