

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115-

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1870.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 26, 1840, and March 16, 1842.

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1870.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1870.

Chapter 96.**CHAP. 96.**

An act to amend section three, chapter one hundred and thirty-two of the revised statutes, relating to jurisdiction of justices of the peace.

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

Section three of chapter one hundred and thirty-two of the revised statutes, is hereby amended by inserting after the word "first," in the second line, the words, 'sixth, seventh, eighth,' so that said section, as amended, shall read as follows :

Criminal jurisdiction of justices of the peace extended.
R. S., chap. 132, sect. 3, amended.

'SECT. 3. They shall have jurisdiction of the offences described in the first, sixth, seventh, eighth and ninth sections of chapter one hundred and twenty, when the value of the property is not alleged to exceed ten dollars ; and may punish for the first offence by fine not exceeding ten dollars, and by imprisonment not more than two months ; and on a second conviction, by fine not exceeding twenty dollars, and by imprisonment not more than six months.'

Approved February 26, 1870.

Chapter 97.

An act to repeal an act entitled "an act providing for reviews in criminal cases," approved March third, one thousand eight hundred and sixty-nine.

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

SECT. 1. An act entitled "an act providing for reviews in criminal cases," approved March third, in the year of our Lord one thousand eight hundred and sixty-nine, is hereby repealed.

Public laws 1869, chap. 39, relating to reviews in criminal cases, repealed.

SECT. 2. This act shall take effect when approved.

Approved February 26, 1870.

Chapter 98.

An act to amend sections ten and twelve of chapter three of the revised statutes, relating to choice of highway surveyors.

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

SECT. 1. Section ten of chapter three of the revised statutes is hereby amended by striking out the words "surveyors of highways," in the sixth and seventh lines thereof.

R. S., chap. 3, sect. 10, relating to highway surveyors, amended.

SECT. 2. Section twelve of the same chapter is hereby amended so as to read as follows :

CHAP. 99.

Election of road commissioners and appointment of highway surveyors.

Vacancies, how filled.

'Sect. 12. Unless towns at their annual meeting choose road commissioners or appoint the municipal officers surveyors of highways, said officers shall appoint surveyors of highways, whose term of office shall commence on the first day of May and end with the last day of April in each year; and if from any cause the town fails or neglects to choose, at the annual meeting, any of such officers as are not required to be chosen by ballot, or if after such officers are chosen there is from any cause a vacancy in any such office, the municipal officers may fill such offices and vacancies by the written appointment of proper persons, who shall be summoned by the constable and required to appear and take the oath of office as is provided in section fifteen, subject to the penalties provided in section sixteen; such appointment and oath shall be recorded as in case of a choice by the town.'

R. S., chap. 18, sect. 40, amended.

SECT. 3. Section forty of chapter eighteen of the revised statutes, is hereby amended by striking out the word "April" in the fourth line of said section, and inserting instead thereof the word 'May,' so that said section as amended shall read as follows:

Municipal officers when surveyors of highways, may delegate their powers.

'Sect. 40. When the municipal officers are appointed surveyors of highways by a town, they may in writing delegate their power or part of it to others; they shall annually before the tenth day of May, make a written assignment of his division and limits to each surveyor of highways, to be observed by him.'

SECT. 4. This act shall take effect when approved.

Approved February 28, 1870.

Chapter 99.

An act to amend chapter fifty-one, section forty-eight of the revised statutes, relating to railroads.

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

R. S., chap. 51, sect. 48, relating to railroad crossings, amended.

Section forty-eight of chapter fifty-one of the revised statutes is hereby amended by striking out the words "five hundred" and inserting the words, 'one hundred and fifty;' and it is further amended by adding after the words, "eight miles an hour," the following: 'except when from the condition of the track, or train, it shall be necessary to run at a greater rate of speed, in which case it shall be the duty of the conductor, or person in charge of the train, to cause some man to stand at said crossing, with a flag by day and a lantern by night, to warn any approaching train upon the other road,' so that the section as amended shall read as follows: