

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1879.

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Published by the Secretary of State, agreeably to Resolves of June 28,  
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PUBLIC LAWS

OF THE

STATE OF MAINE.

1879.

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CHAP. 157. ice, on any sidewalk or cross-walk, nor on account of any slippery condition of any sidewalk or cross-walk.

Person having knowledge of defective highway shall not recover for damages unless he previously notified the municipal officers.

Repealing clause.

SECT. 3. No person shall recover damages of any town or city, in any case, on account of injury to his person and property, by reason of such defect or want of repair, who has notice of the condition of such way previous to the time of the injury, unless he has previously notified the municipal officers of such town or city, or some one of them, of the defective condition of such way.

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 All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 3, 1879.

### Chapter 157.

An Act to amend chapter twenty-four of the Revised Statutes, relating to Paupers, their Settlement and Support.

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

Sec. 27 of ch. 24 amended.

Complaint to be made where paupers refuse to go with person appointed to remove them to the town of their settlement.

Judge or justice to cause paupers to be brought before him to answer said complaint.

Complaint may be amended.

Complainant and paupers to be heard.

Finding of the Judge.

Person executing order of judge has same power as sheriff or deputy has in executing warrants in criminal proceedings.

Fees and costs.

SECT. 1. When paupers are sought to be removed to the town of their alleged settlement, under the provisions of section twenty-seven, chapter twenty-four of revised statutes, and the person to whom the order of the overseers is directed requests them to go with him in obedience to said order, and they refuse so to do, or resist the service of such order, the person to whom it is directed may make complaint in writing, by him signed, of the facts aforesaid, to any judge of a police or municipal court or trial justice within the county where said paupers are then domiciled. Said judge or justice shall thereupon, by proper order or process, cause said paupers to be brought forthwith before him by any officer to whom the same is directed, to answer said complaint and show cause why they should not be so removed. The complaint may be amended at any time before judgment thereon, according to the facts. The complainant and the paupers shall be heard by such judge or justice, and if upon such hearing the judge or justice aforesaid finds the town to which such paupers are sought to be removed is liable for their maintenance and support, of all or any of them, he shall issue his order, under his hand and seal, commanding the person to whom it is directed to take the bodies of said paupers and them transport to the town aforesaid, and them deliver to the custody of the overseers of the poor thereof. The person to whom said last named order is directed shall have all the power and authority to execute the same according to the precept thereof, that the sheriff or his deputy now has in executing warrants in criminal proceedings. The fees and costs shall be the same in the foregoing

proceedings as are by law chargeable for like services in criminal cases, and shall be paid by the town seeking to remove such pauper or paupers. CHAP. 158.

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

Approved March 3, 1879.

### Chapter 158.

An Act in relation to suits for Taxes.

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

Hereafter no suit shall be commenced by any city, town or plantation, against any person for any taxes due, unless the same is directed in writing by the selectmen of towns, the mayor and treasurer of cities, or the assessors of plantations.

No suit for taxes shall be commenced unless ordered by town officers.

Approved March 3, 1879.

### Chapter 159.

An Act to amend section seven of chapter one hundred and thirty-three of the Public Laws of eighteen hundred and seventy-three, being an act to improve the Jail System of the State.

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

Section seven of chapter one hundred and thirty-three of the public laws of eighteen hundred and seventy-three, is amended by inserting after the words "trial justice," in the second line, the following words: 'in the county where the work-jail is situate, or in any county where there is no jail,' so that when amended said section shall read:

Sec. 7, ch. 133 public laws 1873 amended.

'SECT. 7. The supreme court, the superior court and any municipal court, police court or trial justice in the county where the work-jail is situate, or in any county where there is no jail, may sentence any person convicted before such court or trial justice respectively, of any offense punishable by such with imprisonment to either of the jails in the several counties, where such improvement and provision for labor has been made as mentioned in the first section of this act, nearest or most convenient to the county where the offense is committed, and all sentences of imprisonment, by any of the courts or tribunals in this state shall, after the adoption of the provisions of this act, by any of the several counties, include imprisonment and labor. And the keeper of the jail to

Courts may sentence convicts to any jail where work-shops have been provided, nearest to the county where the offense has been committed.

Sentences to imprisonment to include imprisonment and labor.