

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1885.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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PUBLIC LAWS
OF THE
STATE OF MAINE.

1885.

CHAP. 340

‘SECT. 88. Every foreign insurance company doing business in this state, shall annually, publish three weeks successively, in some daily or weekly paper printed in every county where it has a duly authorized agent, or issues policies, a condensed statement of its condition conformable to its last annual report to the commissioner; and any such insurance company which neglects or refuses to publish such statement, forfeits not less than fifty dollars.’

Approved March 6, 1885.

Foreign Ins. Co's to publish annual statement of condition.

Chapter 340.

An Act relative to Criminal Costs and Expenditures in the County of Kennebec.

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

SECT. 1. All judges of municipal and police courts in the county of Kennebec shall be paid salaries, to be fixed by the city council, or municipal officers, of their respective cities and towns, and paid quarterly from the treasuries thereof. All fees paid to and received by them in criminal cases shall be paid quarterly into the county treasury; and no salary shall be paid to any such judge until he shall file with the city or town treasurer, a written statement of the fines and criminal fees by him paid to the county treasurer during and for the preceding quarter.

SECT. 2. The fees of such judges for services in criminal cases shall be allowed and taxed as in behalf of trial justices and shall, together with the fees paid in by any such judge, be annually paid to the city or town from which such judge receives his salary; *provided, however*, that if the amount of such fees so allowed and the fees paid in by any such judge during the year shall exceed the amount of his annual salary, such excess shall revert to the county and be covered into the county treasury. The word fees as used in this and the preceding section includes all fees fixed by law in criminal cases, including fees for copies. Such judges, however, may retain for their own use all fees received by them in civil cases. All blanks for criminal cases used by such judges shall be furnished by the county. When the salary

Salaries of judges of municipal courts, how fixed.

—fees received by, to be paid into county treasury.

—shall make quarterly statement of fees.

—fees of, how taxed and disposed of.

Fees defined.

Judges may retain fees received in civil cases.

—blanks, how furnished.

CHAP. 340

Salary not to be diminished during continuance of any judge in office.

of any judge has been fixed and established as provided in section one, it shall not afterwards be diminished during the continuance in office of any such judge to a sum lower than the amount of the fees received by the city or town during the preceding year from the county, under this section. The provisions of section one of chapter one hundred and thirty-two of the revised statutes, shall not apply to the county of Kennebec while this act is in force.

Marshals, deputy marshals and chiefs of police, salaries of, how fixed and paid.

SECT. 3. City marshals, deputy marshals and chiefs of police, in the county of Kennebec, shall be paid salaries, or a per diem compensation, to be fixed by the city council of cities and municipal officers of towns, and payable from the treasuries thereof. Such officers shall not be paid any fee for any official service in any criminal case in said county, except as provided in sections six and twelve of this act. The fees of such officers for services in criminal cases shall be taxed and allowed as in behalf of sheriffs, and fifty per cent thereof, first deducting fees referred to in sections six and twelve of this act, shall be annually paid by the county treasurer to the city or town from which any such officer receives his salary, or compensation, and the balance shall revert to the county and be covered into the county treasury. When said fifty per cent exceeds the annual salary or compensation of any such officer, such excess shall not be paid to the city or town, but shall be covered into the county treasury. Such officers may retain for their own use all fees received by them in civil cases. No such officer shall receive from any respondent in any criminal case any fine or costs, but in all such cases, such fine and costs shall be paid to the judge issuing the precept against such respondent.

—fees of, how taxed and disposed of.

—may retain fees received in civil cases.

—duties of.

SECT. 4. City marshals and their deputies, in the county of Kennebec, shall faithfully and diligently inquire into all violations of law, within their respective cities, and institute proceedings against violations or supposed violations of law, and particularly the laws against the illegal sale of intoxicating liquors and the keeping of drinking houses and tippling shops, either by promptly entering a complaint before a magistrate and executing the warrants issued thereon, or by furnishing the county attorney promptly and without delay with the names of alleged offenders and of the witnesses; and the county attorney shall cause such witnesses to be

promptly summoned before the grand jury. Whenever the aldermen of any city are, after investigation and hearing, satisfied that the city marshal, or his deputies, have wilfully refused or neglected to faithfully discharge the duties imposed by this section, they shall remove him, or them, from office. Nothing herein contained shall relieve any other officers named in chapter twenty-seven of the revised statutes, from any of the duties imposed upon them by said chapter.

—may be removed for neglect of duty.

SECT. 5. No police officer, or constable, in said county, who is paid a per diem compensation shall draw or receive any fees whatever from said county for services in any criminal case, except as provided in sections six and twelve of this act; but all such fees shall, if allowed, be covered into the county treasury to the use of the county.

Officers who receive per diem, shall not receive fees.

—exceptions.

SECT. 6. Fees taxed and allowed to the officers named in sections three, four and five of this act for attendance as witnesses in any criminal case before the superior court, or before any court held in some town other than that in which such officers reside, shall be paid to them from the county treasury. The expenses of any such officer necessarily and reasonably incurred and actually disbursed in the service of any criminal precept, shall be allowed and paid to him upon his filing an itemized account thereof, under oath, accompanied by proper vouchers thereof.

—witness fees and expenses of, how paid.

SECT. 7. No sheriff, deputy sheriff, marshal, deputy marshal, police officer or constable, in said county, shall be entitled to fees for attendance as a witness in any criminal case while he is paid for attendance as an officer of the same court, or on the same examination or trial. No allowance shall be made to any such officer for aid in the service of any mittimus unless the same is first authorized in writing by the court issuing the same.

—not entitled to fees as witnesses when paid for attendance as an officer of court.

SECT. 8. In the service of any precept in criminal cases, in said county, the officer shall be allowed the actual, reasonable and necessary expenses incurred thereon; and if he necessarily uses a horse and carriage he shall be allowed a reasonable sum therefor, when it appears that the amount allowed for travel does not compensate him for such use of a horse and carriage; if the journey so made can be performed by railroad, no allowance shall be made for a horse and carriage.

—shall be allowed reasonable expenses in service of precepts in criminal cases.

CHAP. 340

Treasurer shall publish annually, itemized statement of financial condition of county.

SECT. 9. The treasurer of said county shall, at the end of each year, in connection with the commissioners, make a statement of the financial condition of the county, showing in detail all moneys received into and paid out of its treasury, and other facts and statistics necessary to exhibit the true statement of its finances, and shall publish in pamphlet form a reasonable number of copies for distribution among its citizens. Such statement shall be itemized as far as practicable, and shall particularly show the amount paid each sheriff, deputy sheriff, jailer, marshal, deputy marshal, police officer, constable, judge of a municipal or police court, trial justice, and each county officer or employe. It shall also show in a separate table, the actual expense incurred in enforcing the laws relative to the sale of intoxicating liquors, together with a detailed statement of the fines received therefrom.

Contracts for work on public buildings, how made.

SECT. 10. All contracts for repairs, or work of any kind, upon the public buildings of said county, shall, if more than one hundred dollars in amount, be made in writing, after notice for proposals therefor has been published in at least two newspapers in said county, representing different political parties; such contract to be awarded to the lowest responsible bidder therefor.

All supplies for county shall be furnished on contracts.

SECT. 11. The fuel, books, blanks, stationery, printing, binding, and such other articles as the nature of the case will admit, shall be furnished and obtained by the commissioners of said county upon annual contracts made in writing, and awarded to the lowest responsible bidder, after notice for proposals therefor has been published three times in at least three newspapers in said county, not more than two of which shall represent the same political party.

Fees received for seizure of intoxicating liquors, how taxed and disposed of.

SECT. 12. Whenever, in said county, intoxicating liquors are seized, with or without a warrant, under any of the provisions of chapter twenty-seven of the revised statutes, the fees of the judge, marshal, deputy marshal, police officer, or constable, on the warrant or libel issued thereon, shall be taxed and allowed in the manner now provided by law, and shall be paid to them from the county treasury; and such fees, so paid, shall not be included in the fees required by this act to be paid to the city or town, but shall be in addition to the salaries, or compensation, paid to such judge or

officer. When, however, such liquors are seized in transit, and, on final hearing, are ordered returned to the claimant, the fees of the marshal, deputy marshal, police officer and constable, on the warrant and libel issued thereon, shall be subject to the provisions of section three of this act, and disposed of as therein provided. Whenever on such warrant or libel, where intoxicating liquors have been seized, the county commissioners do not allow the costs as taxed by the magistrate, the person aggrieved may appeal to the judge of the superior court for said county, whose decision thereon shall be final.

—when not allowed by Co. commissioners, aggrieved party may appeal.

SECT. 13. All existing acts, public and private, inconsistent herewith, are hereby modified so as to conform to the provisions of this act.

Inconsistent acts modified.

SECT. 14. This act shall take effect March twenty-three, in the year of our Lord one thousand eight hundred and eighty-five, and on its approval, the secretary of state shall forward a copy of this act to the mayors of the cities of Augusta, Gardiner and Hallowell, and selectmen of the town of Waterville.

When act shall take effect.

Approved March 6, 1885.

Chapter 341.

An act to require town and and plantation officers to keep a record of all persons moving into and from their respective towns.

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

SECT. 1. That towns and plantations are hereby authorized, at any regular meeting, by a vote thereof, to require their assessors of taxes to keep a record, with the date thereof as near as practicable, of all persons moving into and from their respective towns and plantations during each year, and on the first day of May make a return of the same to the clerk thereof, who shall record the same in a book to be kept for such purpose.

Assessors required to keep a record of persons moving into and from, towns and plantations if so directed.

SECT. 2. The said clerks shall furnish copies of such records upon payment of a reasonable fee.

—copies to be furnished by clerk.

Approved March 6, 1885.