

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## THIRTY-NINTH LEGISLATURE

OF THE

## STATE OF MAINE.

1860.

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Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26,  
1840, and March 16, 1842.

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AUGUSTA:  
STEVENS & SAYWARD, PRINTERS TO THE STATE.  
1860.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1860.

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**CHAP. 135.****Chapter 135.**

An act amendatory of the twentieth section of chapter seventy-seven of the revised statutes in relation to disclosure on mesne process.

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

Ch. 77, sec. 20,  
R. S. amended.

The twentieth section of chapter seventy-seven of the revised statutes is hereby amended by inserting after the word "chapter" the words "received in vacation," and by adding thereto the following words: "and in any case where the defendant was arrested on mesne process, and gave bond to disclose after judgment, as provided in the one hundred and thirteenth chapter of the revised statutes, he shall have the same right and privilege to disclose after said next term and with the same effect as is therein provided for disclosure after the term at which judgment is rendered," so that the section as amended shall read as follows :

Clerks enter  
judgment on  
certificate.

SECT. 20. The clerk of a county, by virtue of a certificate provided for in this chapter, received in vacation and stating the day of its reception, shall enter judgment as of the preceding term, and execution may issue as of that term; but all attachments then in force continue to be valid until thirty days after the next term in that county, and in any case where the defendant was arrested on mesne process and gave bond to disclose after judgment, as provided in the one hundred and thirteenth chapter of the revised statutes, he shall have the same right and privilege to disclose after said next term and with the same effect as is therein provided for disclosure after the term at which judgment is rendered.

Right of  
defendant to  
disclose.

[Approved February 21, 1860.]

**Chapter 136.**

An act to amend section eighteen of chapter sixty-six of the revised statutes relating to insolvent estates.

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

Ch. 66, sec. 18,  
R. S. amended.

The eighteenth section of chapter sixty-six of the revised statutes is amended so that the same reads as follows :

Claims not  
presented, or  
disallowed,  
barred.

If further  
assets, proviso.

SECT. 18. Claims not presented, and claims disallowed without appeals taken, are forever barred from recovery by suit, and claims disallowed cannot be filed in set-off unless further assets come to the hands of the administrator after distribution when on petition to the judge of probate and notice to all parties interested, if proved or not disputed, they may be allowed and paid as provided for contingent debts.

[Approved February 21, 1860.]