

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115

PASSED BY THE

FORTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1866.

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

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1866.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1866.

CHAP. 26.

Chapter 26.

An act amendatory of the statute in relation to the representation of county agricultural societies in the state board of agriculture.

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

Vacancies not filled by election, may be filled by appointment of governor and council.

That chapter one hundred and eighty-six, section one, approved March twenty, eighteen hundred and sixty, be amended by the addition of the following, to be inserted after the word "agriculture" in the twenty-first line :—*If no election be made, the secretary of the convention shall forthwith transmit to the governor and council the names of the two or more persons having the highest number of ballots, and the governor and council shall appoint one of the persons so balloted for to be the member for that county.*

Approved February 20, 1866.

Chapter 27.

An act in relation to the jurisdiction of trial justices.

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

Actions between parties in same county, to be commenced before justices in such county.

SECT. 1. All actions between parties residing in the same county, returnable before any trial justice, shall be commenced before some such disinterested justice, residing or holding his court in the town where one of the parties, or his attorney, or person summoned as trustee in such action, has his residence, and if there is no such justice in, or holding his court in such town, then before some such justice, if any, in an adjoining town; otherwise before any such justice in the county.

Actions between parties in different counties. Provision concerning trustee actions.

SECT. 2. When the parties reside in different counties, such actions may be commenced before any such justice having his residence in the county where the defendant resides; *provided however*, that all trustee actions returnable before such justice shall be commenced before some such justice in the county where the person summoned as trustee has his residence.

Writs, how returnable.

SECT. 3. Original writs in civil actions, issued by any trial justice, may be made returnable before any other trial justice therein named, in the same county, and shall have the same force and validity as though signed by the trial justice before whom the same is returnable.

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

Approved February 20, 1866.