

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,
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PUBLIC LAWS
OF THE
STATE OF MAINE.
1870.

thereon, according to the rules of said court for practice in chancery, if such person shall afterwards, before the next term of the court, again violate the said decree, order or decision, a second writ of attachment may be issued, upon proper proceedings therefor, returnable to the next term, on which he shall not be bailable.

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

Approved March 22, 1870.

CHAP. 164.

Chapter 164.

An act additional to chapter forty-six of the revised statutes, concerning corporations.

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

SECT. 1. Any corporation established by the laws of this state, at a legal meeting of its stockholders, may vote to change its name and adopt a new one; and when the proceedings of such meeting, certified by the clerk thereof, are returned to the office of the secretary of state to be recorded by him, the name shall be deemed changed, and the corporation under its new name, shall have the same rights, powers and privileges, and be subject to the same duties, obligations and liabilities as before, and may sue and be sued by its new name; but no action brought against it by its former name shall be defeated on that account, but on motion of either party, the new name may be substituted therefor in the action.

Corporations authorized to change their name.

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

Approved March 23, 1870.

Chapter 165.

An act for the preservation of certain birds.

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

SECT. 1. Whoever takes, kills, destroys or pursues with the intent of killing, destroying or taking with dogs, guns, traps, nets, snares, pitfalls, or any other device or contrivance whatsoever, any of the birds commonly known as larks, robins, partridges, grouse, swallows, quail, woodcocks, sparrows or snipes, except between the first day of September and the first day of February, he shall forfeit for every such bird not less than five nor more than

Penalty for killing certain birds between September first and February first.

CHAP. 166. ten dollars, to be recovered by complaint before any municipal or police court or trial justice, one-half for the use of the complainant and the other to the use of the town where the offence is committed.

Possession of birds above mentioned prima facie evidence of unlawful killing.

SECT. 2. Whoever shall have in his possession any of the birds mentioned in the preceding section, except between the first day of September and the first day of February, such person shall be deemed to have killed the same, and shall be liable to the same penalties prescribed in the preceding section.

Public laws 1858, chap. 11, relating to the preservation of birds, repealed.

SECT. 3. Chapter eleven of the public laws of eighteen hundred and fifty-eight is hereby repealed.

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

Approved March 23, 1870.

Chapter 166.

An act additional to chapter eighty-two of the revised statutes, relating to proceedings in court.

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

Proceedings in action for breach of covenant against incumbrance of right of dower.

In an action for a breach of covenant against incumbrances contained in a deed of real estate, when the incumbrance is a right of dower, if such dower has been assigned and not released, the value thereof shall be the measure of damages ; but if it has been demanded and not assigned, on application of the plaintiff, the court shall cite the claimant of dower to appear and become a party by personal service made fourteen days before the term of court to which it is returnable ; if she does not appear, or if she appears and refuses to release such right of dower, the court shall appoint three commissioners to assign the same, who shall proceed in the manner provided for commissioners appointed by the probate court ; and when their report is made and accepted by the court it shall be a legal assignment of dower, and the value thereof shall be the measure of damages in said action.

Approved March 23, 1870.