

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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,
February 26, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.
1870.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1870.

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Public laws 1858, chap. 11, relating to the preservation of birds, repealed.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 Chapter eleven of the public laws of eighteen hundred and fifty-eight is hereby repealed.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.