

# MAINE STATE LEGISLATURE

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# PUBLIC ACTS

OF THE

# STATE OF MAINE,

PASSED BY THE

# FIFTH LEGISLATURE

AT ITS SESSION, HELD IN JANUARY, 1825.

PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28TH OF JUNE, 1820.

Portland :

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1825.

gether with all other acts and parts of acts, and resolves, so far as the same are repugnant to, or inconsistent with, this act, be, and the same are hereby repealed.

When in force &c. **SECT. 11.** *Be it further enacted,* That this act shall be in force from and after the first day of April next: *Provided,* That nothing in the same shall prevent the Governor and Council from making the appointments herein provided at any time after the passage hereof.

[*This Act passed February 25, 1825.*]

## CHAPTER CCCVII.

AN ACT additional to "An Act for the limitation of actions real and personal, and of writs of error."

Limitations not to be applicable to any case, where demandant has been prevented from running lines, &c. **SECT. 1.** *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That the limitations of the several actions mentioned in the first, second and third sections of the act to which this is additional, shall not be applicable to any case, in which the demandant, his agent, or surveyor, has been since the passage of said act, or shall hereafter be obstructed and prevented from running the lines and ascertaining the boundaries of the tract demanded, or to any case in which the service of any writ demanding such tract has been or may be prevented by force or fraud, or by any neglect or misconduct of any officer having such writ: *Provided,* That actions for the recovery of such tracts, be commenced within two years from the passing of this act: *Provided, also,* That such running of lines shall have been lawful, and not a trespass on the lands or rights of others.

Not necessary for limiting the demandant, that the premises shall have been surrounded by fences. **SECT. 2.** *Be it further enacted,* That in any writ or action, which may, after the fifteenth day of March next, be brought for the recovery of any lands, tenements, or hereditaments, it shall not be necessary for limiting the demandant and barring his right of recovery, that the premises defended

shall have been surrounded by fences, or rendered inaccessible by other obstructions, but it shall be sufficient, if the possession, occupancy and improvement thereof by the defendant, or those under whom he claims, shall have been open, notorious and exclusive, comporting with the ordinary management of similar estates, in the possession and occupancy of those who have title thereunto, or satisfactory indicative of such exercise of ownership, as is usual in the improvement of a farm by its owner, and no part of the premises demanded and defended, shall be excluded from the operation of the limitation provided in the act to which this is additional, because such part may be woodland, or without cultivation.

[*This Act passed February 25, 1825.*]

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### CHAPTER CCCVIII.

AN additional Act respecting the admission of Attornies.

*BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That any person who shall have been admitted to practice law, in the highest Court in any other State, where the qualifications for admission are equal to those required in this State, may be admitted to practice in this State: *Provided,* He otherwise conforms to the rules and regulations adopted for the admission of attornies and counsellors, although he may not have prosecuted his professional studies two years in this State.

[*This Act passed February 25, 1825.*]

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### CHAPTER CCCIX,

AN ACT in addition to "An Act establishing and regulating the fees of the several officers and other persons therein mentioned."

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That in addition to the fees already given by law to the officer for levying executions, he shall be entitled to In levying executions, officer allowed the sum paid for advertising, &c.