

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

EIGHTH LEGISLATURE,

AT ITS

SESSION HELD IN JANUARY, 1828.

Published agreeably to the Resolve of the 20th June, 1820.

PORTLAND.

PRINTED BY THOMAS TODD.....PRINTER TO THE STATE.

1828.

CHAPTER CCCXCVI.

AN ACT additional to "An Act providing for the payment of costs in Criminal Prosecutions."

County Treasurer to perform certain duties required by former Act, under penalty.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That if any County Treasurer shall neglect to perform the duties required of him in and by the sixth section of the Act to which this is additional, passed the nineteenth day of March, in the year of our Lord one thousand eight hundred and twenty one, he shall forfeit and pay a sum not exceeding one hundred dollars to the use of the State, to be recovered in the manner provided for the recovery of forfeitures in the fifth section of the Act aforesaid.

[Approved by the Governor, February 21, 1828.]

 CHAPTER CCCXCVII.

AN Additional ACT for the settlement of certain equitable claims arising in real actions.

Certain proceedings relative to costs regulated.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That in all real actions, wherein all or any part of the demanded premises, and of the improvements made thereon shall be estimated by the Jury, and in which the demandant shall not make his election on record in open Court to abandon the same to the tenant at the price estimated by them, pursuant to the provisions of "An Act for the settlement of certain equitable claims arising in real actions," it shall be lawful for the Court wherein any such action shall be pending upon the written application of either of the parties during the term at which judgment shall be entered, to order the amount of the costs recovered by the demandant and the amount of the estimated value of the improvements to be offset one against the other: And it shall be the duty of

the Court to make a record of their order for such purpose and a special statement of such offset for the benefit and direction of all concerned: and if such costs shall exceed the amount of such estimated value then such value shall be deducted from such costs, and execution shall issue for the balance only: And when the estimated value aforesaid shall exceed the amount of the demandant's costs, then the same shall be deducted from such estimated value; and thereupon the demandant shall be entitled to his writ of seizen and possession on his paying into the Clerk's office of the same Court or to such other person as the Court or any Judge thereof may for that purpose appoint, the balance only of such estimated value and the interest thereof, within one year from the rendition of such judgment; any thing in the aforesaid Act to the contrary notwithstanding.

[Approved by the Governor, February 23, 1828.]

CHAPTER CCCXCVIII.

AN ACT in addition to An Act to regulate the Manufacture and Inspection of Stone Lime and Lime Casks.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That from and after the first day of June next, instead of the fees now provided by law, each Inspector or Deputy Inspector of Stone Lime and Lime Casks, in this State, shall be paid by the manufacturer or owner of said lime two and a half cents for each cask of lime inspected and branded according to the provisions of the Act to which this is additional; and each of the Inspectors appointed by the Governor and Council shall be entitled to receive from every deputy by him appointed, three eighths of a cent for every cask of lime said deputy shall inspect and brand as aforesaid; And every Deputy Inspector shall be hol-

Fees for the inspection of lime, altered, &c.