

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)

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 CCCCIX.

AN ACT to repeal the laws which provide for the appointment of Road Commissioners.

Acts providing for the appointment of Road Commissioners repealed.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That so much of an Act entitled "An Act to repeal an Act to establish Courts of Sessions and for establishing Courts of Sessions," passed the twenty fifth day of February, in the year of our Lord one thousand eight hundred and twenty five, and so much of "an additional Act respecting highways," passed the twenty fourth day of February, in the year of our Lord one thousand eight hundred and twenty seven, as provide for the appointment of Standing Committees to view and lay out roads, be, and the same are hereby repealed.

Court of Sessions vested with the power of appointing Committees for that purpose.

SECT. 2. *Be it further enacted,* That whenever the Court of Sessions within and for either of the counties of this State, shall adjudge it necessary and expedient to view or locate any road or roads within their respective counties, said Courts of Sessions are hereby vested with the power of appointing committees for such purposes, and to fix their compensation.

[Approved by the Governor, February 26, 1828.]

CHAPTER CCCCX.

AN additional ACT for the relief of Poor Debtors.

Limits of gaol yards established.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That from and after the first day of June next, the limits of each respective county in this State shall be, remain and become the boundaries of the gaol yard to each and every gaol within such county: *Provided,* That until a gaol be erected and ready to be occupied in the county of

Proviso.

Waldo, the limits of the gaol yards in the several counties of Lincoln, Hancock and Kennebec, so far as regards debtors belonging to the county of Waldo, be extended so as to include the territory within said county of Waldo.

SECT. 2. *Be it further enacted,* That the offer of real estate mentioned in the proviso of the twenty first section of the act to which this is additional, shall be made in the hearing and presence of the Justices of the quorum who allow the oath, and they shall enter of record that real estate was offered; and the execution-creditor or his attorney may interrogate the debtor concerning said offer and his title to said real estate, in the same manner as authorized by the fourteenth section of said Act; and the debtor shall be under like obligation, as in said section is provided, to answer and subscribe and make oath to the truth of his answers, otherwise he shall not be admitted to and allowed the oath necessary to discharge him from prison.

Manner in which the offer of real estate, mentioned in the proviso of a former act, shall be made.

SECT. 3. *Be it further enacted,* That whenever the body of any debtor has been arrested and committed to gaol on any writ of execution, and said debtor shall be discharged from his commitment by the written permission of the creditor, or on the certificate of the two Justices of the quorum who allowed the oath, and the day of return of said execution not having arrived, the creditor by procuring the Sheriff or Gaoler to certify a true copy of such permission or certificate upon such execution, may cause the same execution to be levied on any real or personal estate of such debtor, in the same manner as he might have done before the arrest and commitment of such debtor; or on the return of such execution with the doings of the officer who executed the same, together with the certificate of the Sheriff, Gaoler, or of said Justices of the quorum of the debtor's discharge from his commitment, at any time before

Whenever any debtor shall have been committed, and discharged by writing of the creditor, or by having taken the oath, the execution may be levied upon estate of such debtor, before the return day.

the return day thereof, the creditor may have the same renewed in the same manner as after the expiration of the return day thereof.

Justices, before poor debtor's oath may be taken, may adjourn their proceedings.

SECT. 4. *Be it further enacted*, That said Justices or either of them, before whom any prisoner may appear, for the purpose of taking the Poor Debtor's Oath, shall have power to adjourn their proceedings to any convenient time, on the same or the following day, until the examination shall be completed: *Provided*, That they or either of them shall not adjourn more than three times upon the same examination, nor more than twenty four hours at one time, except Sunday shall intervene, and in such cases the adjournment on Saturday shall be to Monday in the next week.

Proviso.

Former act repealed; reserving certain rights.

SECT. 5. *Be it further enacted*, That an Act, entitled "An Act additional to An Act for the relief of Poor Debtors," passed February twenty fifth, eighteen hundred and twenty four, be, and the same is hereby repealed; reserving, however, to all persons, all rights of action acquired under, or by virtue of said Act.

[*Approved by the Governor, February 26, 1828.*]

CHAPTER CCCCXI.

AN ACT additional to "An Act establishing the times of holding the Supreme Judicial Court within this State,

Additional term established in Somerset county.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That in addition to the terms of the Supreme Judicial Court, by law established, a term of said Court shall be holden annually, by one or more of the Justices thereof, at Norridgwock, in and for the county of Somerset, on the last Tuesday of September.

[*Approved by the Governor, February 26, 1828.*]