

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

NINTH LEGISLATURE,

AT ITS

SESSION HELD IN JANUARY, 1829.

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

Portland:

DAY & FRASER, PRINTERS TO THE STATE,

1829.

Pretended assignee made a party to the bill.

Validity of assignment to be settled by verdict of Jury.

SECT. 3. *Be it further enacted,* That whenever any obligor or contractor, shall plead, answer or disclose an assignment of said bond or contract, made previous to the attachment of such estate, by the obligee, or person entitled to a conveyance, of the estate therein described, and the complainant in equity shall put in issue the validity of such pretended assignment, the Court before which the same is pending shall cause the person so disclosed as assignee to be made a party to the bill, and after such notice to him as the Court may direct, either upon his appearance, or non-appearance, shall cause the same issue to be tried by a jury, who shall find by their verdict whether the said assignment is good and valid, or fraudulent and void, according to legal principles; and if found to be fraudulent and void, such pretended assignment shall not operate as a bar to the conveyance prayed for in the bill.

[Approved by the Governor, February 28, 1829.]



CHAPTER CCCXXXII.

AN Additional ACT defining the powers of the Judicial Courts in granting Reviews, and for other purposes.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That all applications for review of judgments rendered upon petitions for partition, pursuant to the provision of the Act to which this is additional, shall be made to the said Justices of the Supreme Judicial Court, within three years after the rendition of the judgment complained of: *Provided,* That nothing in this Act, or the Act to which this is additional, shall be construed to effect the proceedings of said Court in any case wherein final judgment has been rendered upon petition for

Applications for reviews of judgments for partition, to be made within three years after the rendition of the judgment complained of.

Proviso.

partition, by said Court, before the passing of the Act to which this is additional, and that only one review shall ever be granted by virtue of said Act.

[Approved by the Governor, February 28, 1829.]



CHAPTER CCCXXXIII.

AN Additional ACT regulating Judicial process and proceedings.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That when any person indicted for any crime or misdemeanor, shall be, by the verdict of the jury of trials, upon such indictment, acquitted as to part of such indictment, and convicted of the residue thereof, any such verdict may be accepted and recorded in the Court where such trial shall be, and thereupon such person so indicted and convicted may be adjudged to be guilty of the offence, if any, which shall appear to the Court to be substantially alledged in and by the residue of such indictment, and shall be sentenced and punished accordingly.

Persons indicted, acquitted in part and convicted of the residue, proceeding in case.

[Approved by the Governor, February 28, 1829.]



CCCCXXXIV.

AN ACT additional to "An Act for keeping Watches and Wards in towns, and for preventing disorders in the streets and public places." Chap. 125.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled, That* whenever any town shall at their annual meeting holden for the choice of town officers, determine that it will be for the benefit and

Towns authorised to raise money, to pay the expense of a fired watch.