

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

TENTH LEGISLATURE,

AT ITS

SESSION HELD IN JANUARY, 1830.

—◆—
Published agreeably to the Resolve of the 28th June, 1820.
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Portland :

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1830.

liabilities, and shall be entitled to all the privileges and exemptions of enginemen, appointed in manner heretofore provided by law.

Persons thus appointed subject to duties and entitled to exemptions, &c.

[Approved by the Governor, March 15, 1830.]



CHAPTER CCCCLXIX.

An additional ACT relating to Foreign Attachment.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That whenever any person, summoned as trustee in any process of foreign attachment, shall be about to depart out of the State, or go on a voyage to sea not to return before the then next term of the court to which the process may be returnable, or where the suit may be pending, such trustee may apply in writing to any Justice of the Peace and of the quorum, in the county where such trustee may reside, for a notice to the parties in such suit, under his hand, appointing a convenient time and place for taking the disclosure of such trustee; and upon service thereof on the parties aforesaid, or their attornies, a reasonable time before the time appointed, the examination and disclosure of such trustee may be taken and sworn to before such justice, and upon the same being certified and returned to said court, judgment may be had thereon, or further examination ordered in the discretion of the court.

Persons summoned as trustees, about to leave the State, may after due notice make disclosure before a Justice of the Peace.

SECT. 2. *Be it further enacted,* That whenever any person shall be summoned as trustee as aforesaid, his examination and disclosure may be taken, sworn to and returned in the same manner and upon the same notice as is required in the first section of this act: *Provided,* The plaintiff in such action consent thereto in writing. And any examination and disclosure taken and returned by

Any person summoned as trustee, may disclose before a Jus. Peace, provided the plaintiff consents thereto.

virtue of this act, shall have the same force and effect, and subject all the parties to the same consequences as if taken and sworn to in open court.

SECT. 3. *Be it further enacted,* That the fees of the justice for notice to the parties, and for taking the examination aforesaid, shall be the same as is provided by law in case of taking depositions.

[*Approved by the Governor, March 15, 1830.*]

Fees.



CHAPTER CCCCLXX.

AN ACT further to regulate the jurisdiction and proceedings of the Courts of Probate.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That any person or persons interested in a probate bond, or in a judgment that may have been rendered on such bond, shall have a right to institute a suit thereon without applying to the Judge of Probate, to whom given or in favor of whom rendered, or his successor. And instead of endorsing on the writ for whose benefit the suit is brought, as is now provided, he or they instituting such suit, shall allege in the writ, his or their own name, place of abode and addition, and that the same is sued out by him or them in the name of ———, Judge of Probate, for the county of ———. And in case such suit is not sustained, the court before whom the same is pending, shall render judgment and issue execution for costs against such person or persons so instituting such suit; but no judgment shall be rendered against the Judge of Probate, whose name is made use of in the writ. And where the name, place of abode, and addition of the plaintiff in interest is not set forth in the writ as aforesaid, the same shall abate.

Probate bonds, suits on, to be in name of interested party. Judge not liable for costs.

SECT. 2. *Be it further enacted,* That the Judges of Probate, in their respective counties,