

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

ELEVENTH LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1831.

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

Portland.

TODD AND HOLDEN.....PRINTERS TO THE STATE.

1831.

several sums, at the rate of twelve per cent. per annum: *Provided*, That, when the owner of such real estate shall, at the time of such sale, be within the age of twenty-one years, feme-covert, non-compos, or without the limits of the United States, he or she may redeem such real estate at any time within eight years from the time of such sale. Minors, &c. to redeem within eight years.

SECT. 2. *Be it further enacted*, That, in any trial at law or in equity, involving the validity of any such sale, it shall be sufficient for the party claiming under such sale, to produce in evidence the Collector's deed, duly executed and recorded, the assessments signed by the assessors, and their warrants directed to the Collector, and to prove that such Collector complied with the requisitions of the law in advertising and selling such real estate; and such evidence shall be deemed and taken to be conclusive evidence of the purchaser's title to such real estate as against the owner or owners of such real estate, and his or their heirs or assigns. Evidence of title under collector's sale.

SECT. 3. *Be it further enacted*, That, this Act shall have effect only on such sales as may hereafter be made; and that all Acts and parts of Acts, inconsistent with the provisions of this Act be, and hereby are repealed. Acts inconsistent with this repealed.

[Approved by the Governor, March 12, 1831.]

CHAPTER DII.

AN ADDITIONAL ACT "defining the powers of the Judicial Courts in granting reviews and for other purposes."

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That in all actions hereafter commenced wherein a verdict may be rendered for the plaintiff in the Court of Common Pleas, and on ap-

peal a verdict may be found for the defendant, or for the plaintiff for a less sum than twenty dollars, and judgment shall be rendered thereon, the plaintiff shall be entitled to a review of said action, and if on the trial thereof a verdict shall again be found in favor of the defendant, he shall be allowed double costs.

In what case plaintiff entitled to review.

Double costs.

SECT. 2. *Be it further enacted,* That in all actions in the Supreme Judicial Court, where a verdict has been, or may be rendered in favor of the defendant in the Court of Common Pleas, and on appeal a verdict has been, or may be found for the plaintiff, the defendant shall be entitled to a review of said action, and if on trial thereof, a verdict shall be again found for the plaintiff for a greater sum than twenty dollars, he shall be allowed double costs against the defendant.

In what case defendant entitled to review.

Court to stay execution in certain cases.

Defendant to give bond.

SECT. 3. *Be it further enacted,* That when the defendant shall apprehend the loss of the amount of the judgment, in case execution should issue thereon, he shall have a right to a new trial, and be entitled to a stay of execution, on motion to the Court therefor, on filing a bond with sufficient sureties to be approved by either of the Justices of the Supreme Judicial Court in term time, or within twenty days from the time such verdict is rendered, with conditions therein, that the defendant shall prosecute said action, at the term of said Supreme Court which shall next be holden in the county where such action is pending, and if the plaintiff in the original action, shall on said new trial, recover a sum equal to the last verdict, that the defendant shall pay him the whole amount of the judgment rendered thereon, with interest from the time of the judgment on said verdict, at the rate of twelve per centum per annum, and double costs, and that if the plaintiff shall recover a less sum than the former verdict, that then the defendant shall pay to said plaintiff the amount he shall so recover

without interest, and double costs, *Provided*, he shall recover over twenty dollars.

SECT. 4. *Be it further enacted*, That all writs of review shall be served within one year from the term when judgment is rendered on the verdict in the original action. Writs of review to be served within one year.

SECT. 5. *Be it further enacted*, That the Justices of the Supreme Judicial Court shall have the same power to grant amendments, in all cases, arising under this Act, that they have in actions brought before them on appeal from the Court of Common Pleas, and nothing in this Act contained, shall be construed to prevent the Justices of the Supreme Judicial Court from exercising the power of granting reviews, on the petition of either party, in the same manner they are now authorized by virtue of the Act to which this is additional. Court may grant amendments.

[*Approved by the Governor, March 12, 1831.*]

CHAPTER DIII.

AN ACT concerning Corporations.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That all Acts of incorporation which shall be passed after the passage of this Act, shall at all times hereafter be liable to be amended, altered, or repealed, at the pleasure of the Legislature, in the same manner as if an express provision to that effect were therein contained; unless there shall have been inserted in such Act of incorporation an express limitation or provision to the contrary. All acts of incorporation subject to control of Legislature. Exception.

[*Approved by the Governor, March 17, 1831.*]