

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

THIRTEENTH LEGISLATURE,

At its Session, held in January, 1833.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA :

I. BERRY & CO. PRINTERS TO THE STATE.

1833.

Chapter 51.

AN ACT giving further remedy in cases of wilful trespass.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That, in all actions for trespass upon property, when judgment shall be rendered for the plaintiff, it shall, at his request, be the duty of the Magistrate or Court, or Court and Jury, before whom said action is tried, to inquire and determine whether said trespass was committed wilfully. And if it be found to have been wilfully committed, a record of that fact shall be made. And the magistrate or clerk, who shall issue any execution upon said judgment, shall note in the margin, that said judgment was rendered for a trespass committed wilfully. And if the defendant shall be committed to jail, and remain in close confinement, on such execution he shall not be entitled to the benefit of the Poor Debtor's oath, until after having notified the creditor in the manner by law provided, which notice shall not be issued until thirty days after his said commitment. And if he shall have the liberty of the jail yard, on having given bond to the creditor, as provided by law, the notice of his intention to take the poor debtor's oath shall not be issued until ten months after said commitment, and until one month after the expiration of the time limited in his bond, for him to surrender to go into close confinement.

Inquiry shall be made whether trespass was committed wilfully.—If so, record of the fact shall be made.

Defendant shall not be entitled to Poor Debtor's oath until, &c.

Notice of intention, when to be issued.

[Approved by the Governor, February 14, 1833.]

Chapter 52.

AN ACT for the protection of the Mattanawcook and Military Roads.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That from and after the first day of May next no cart or wagon drawn by horses shall pass upon