

# 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.**

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**PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.**

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**AUGUSTA :**

**I. BERRY & CO. PRINTERS TO THE STATE.**

**1833.**

Sheriff to deliver the same to the Selectmen, Assessors, Town or Plantation Clerks.

tion or city, for which they may severally be designated, to the Sheriff of the County in which said towns, plantations or city are situated. And it shall be the duty of the Sheriffs of the several Counties forthwith to deliver the same to the Selectmen, Assessors, town or plantation Clerks, of each town or plantation, and said city, taking a receipt therefor from one at least, of said officers, acknowledging the receipt of said blanks, and make a return thereof to the office of the Secretary of State.

Penalty for neglect.

SECT. 2. *Be it further enacted*, That any Sheriff, who shall neglect to perform any of the duties required to be done by him by the foregoing provisions of this Act, shall forfeit and pay the sum of One Hundred Dollars for each and every offence, to be recovered by action of debt, one half to the use of any person who shall sue for the same, and the other half to the use of the city, town or plantation interested.

[Approved by the Governor, March 4, 1833.]

## Chapter 85.

AN ACT in addition to An Act prescribing the mode of taking depositions.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That whenever any Justice of the Peace and of the Quorum, in any County, shall have issued his citation to any person, notifying such person to appear before him, at a time and place specified in said citation, to give his deposition in any affair, in which depositions are by law authorized to be taken; and said citation shall have been duly served and returned by the proper officer, certifying thereon that said service has been duly made, and that the legal fees of said deponent for his travel and attendance, required by said citation, have been seasonably tendered, if the said deponent shall refuse or

neglect to appear before said Justice at said time and place to depose as aforesaid, said Justice may adjourn the time of taking such deposition to such hour of that or any other day, as he may think proper, and may issue a *capias*, directing any proper officer to apprehend said deponent and bring him before said Justice at the time and place, to which the taking of said deposition was adjourned as aforesaid; and said officer is hereby empowered to execute said *Capias*, and by virtue thereof bring said deponent before said Justice as in said precept may be directed.

Justice empowered to issue a *capias* to apprehend deponent neglecting to appear in pursuance of a citation.

SECT. 2. *Be it further enacted*, That whenever any deponent shall appear before any Justice of the Peace and of the Quorum, in obedience to a citation duly issued and served, requiring such deponent to appear as aforesaid to give his deposition in any matter, in which depositions are by law authorized to be taken, or whenever any such deponent shall be brought before said Justice upon any *capias*, issued as aforesaid, if said deponent shall refuse to depose and testify or to make answer to such questions as may be propounded to him by either party, under the direction of said Justice, the said Justice is hereby vested with the same power to compel said deponent to depose, testify and answer, as is now vested in the Judicial Courts and in Justices of the Peace, for compelling witnesses upon the stand, in the trial of causes in open Court, to testify what they know relative to the issue on trial.

Proceedings in relation to deponent refusing to testify.

[*Approved by the Governor, March 4, 1833.*]

## Chapter 86.

AN ACT for making known the organization of Plantations.

*Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That whenever any Plantation shall hereafter be organiz-