

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FOURTEENTH LEGISLATURE,

At its Session, held in January, 1834.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

AUGUSTA :

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

1834.

of said plaintiff, said action shall stand continued to await the disclosure of said trustee; and in case said defendant shall be adjudged trustee, such adjudication may be given in evidence in the trial of the action, between the trustee and his creditor, in the suit aforesaid; and if the amount disclosed by said trustee shall be equal to the sum recovered in said action, the trustee shall not be liable for any cost which shall accrue subsequent to the interposition of said adjudication.

Action to be continued when defendant is summoned as Trustee of Plff.

Adjudication may be given in evidence.

Trustee not liable for costs.

SECT. 2. *Be it further enacted*, That whenever any suit shall hereafter be instituted for the recovery of any debt, and the defendant in said action shall be summoned as the trustee of said plaintiff, the intervention of said trustee process, shall not prevent the plaintiff from the recovery of his costs in his said action against his debtor except as is provided in and by the first section of this Act.

Plaintiff may recover costs in certain cases as provided in Sect. 1.

SECT. 3. *Be it further enacted*, That this Act shall take effect from and after the passage of the same.

When to take effect.

[Approved by the Governor, January 31, 1834.]

Chapter 96.

AN ACT in addition to "An Act for the prevention of damages by fire, and the safe keeping of Gunpowder."

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That if any person or persons shall carry on the business of manufacturing Gunpowder, or of mixing or grinding the composition therefor, in any building, situated within the distance of eighty rods from any dwelling house, store, mill or other valuable building, erected at the time when such business may be commenced as aforesaid, the building in which any such business shall be carried on as aforesaid, shall be deemed and taken to be a public nuisance, and may be, in all respects, dealt with or abated as such. And

No person to carry on the business of making Gunpowder within eighty rods from dwellinghouse, store, &c.

Building in which such business is carried on to be deemed a nuisance.

Powder, materials and machinery forfeited.

How forfeiture may be recovered. Chap. 81, vol. 1, p. 369.

Proviso as to buildings, machinery, tools, &c. now or heretofore in use.

all the powder manufactured therein, and the materials collected for such manufacture and all the tools, apparatus and machinery, used or prepared to be used, in any such manufacture, shall be forfeited, and may be recovered in the manner and to the uses, specified in "an act prescribing the mode of recovering forfeitures of personal property, liable thereto by law." *Provided*, That this act shall not extend to the prejudice, injury or forfeiture of any building, tools, apparatus or machinery heretofore or now actually in use for any such manufacture as aforesaid, nor of any powder or materials therefor, manufactured or collected at any building which has been or now is in use for such manufacture.

[Approved by the Governor, February 1, 1834.]

Chapter 97.

AN ACT additional to an act establishing the salaries of certain officers.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That from and after the expiration of the term of the present Chief Justice the sum of sixteen hundred dollars shall be allowed and paid to each of the Justices of the Supreme Judicial Court.

Judges of S. J. C. to receive 1600 each per annum.

SECT. 2. *Be it further enacted*, That such parts of the act, to which this is additional as are inconsistent with this act, be and the same are hereby repealed.

Parts of former Act repealed.

[Approved by the Governor, February 1, 1834.]

Chapter 98.

AN ACT to prevent and punish injuries to Booms and Rafts.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That every person, who shall wilfully or maliciously without the consent of the owner, cut