

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

SIXTEENTH LEGISLATURE,

JANUARY SESSION, 1836.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

AUGUSTA:

SMITH & ROBINSON.....PRINTERS TO THE STATE.

1836.

Penalty for officers not delivering over property to successor.

fuse, after demand made upon him by his successor in office, to deliver over to his said successor any property in his possession belonging to the State, said person shall forfeit and pay a sum not less than twenty dollars, nor more than one hundred dollars, to the use of the State, to be recovered by indictment before the Court of Common Pleas.

SECT. 12. *Be it further enacted,* That this Act shall take effect from and after its approval by the Governor.

Inconsistent provisions repealed.

SECT. 13. *Be it further enacted,* That all Acts and parts of Acts, inconsistent with the provisions of this Act be and the same are hereby repealed.

[Approved by the Governor, March 5, 1836.]

Chapter 210.

AN ACT to extend the powers of Justices of the Peace in certain cases and further to regulate the process for maintenance of bastard children.

Justice Executions ag^t debtors and trustees that shall remove or be out of county, to be directed to officers in the county where they shall be found.

SECT. 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That in all cases where the debtor or debtors or trustee or trustees in any judgment recovered before a Justice of the Peace or Judge of any Municipal Court in any County in this State shall remove or be out of the County in which said judgment shall be recovered the Justice or Judge before whom such judgment has been or shall be recovered is hereby authorized to issue execution against said debtor or debtors or trustee or trustees directed to any proper officer in any other County of the State where the debtor or debtors or trustee or trustees are supposed to be in same manner and under the same restrictions as he is by law authorized to issue execution in his own County. *Provided,* that in all such cases, except where the

execution shall be directed to the officers of a County contiguous to that of which the Justice issuing the same is a magistrate, there shall be annexed to the execution a certificate of the Clerk of the Court of Common Pleas of the County of which the Justice shall be a magistrate under the seal of said Court that the person who issued the execution is a Justice of the Peace of said County and that the signature to said execution is genuine.

Certificate that the Justice issuing Execution is a magistrate to be annexed to the Execution.

SECT. 2. *Be it further enacted*, That whenever complaint is made in any County of this State against any man resident in any other County in the State charging him as the father of a bastard child or the father of a child which if born alive may be a bastard the Justice of the Peace before whom such complaint is made is hereby authorized to direct a warrant issued on such complaint to any proper officer of the County where such Respondent is supposed to reside or be. And in all cases of bonds given by a person charged with being the father of a bastard child or the father of a child which if born alive may be a bastard on a process before a Justice of the Peace the surety or sureties in such bond shall have power to surrender the principal in such bond at any time before final judgment in the process in which such bond is given in the same manner as in cases of bail in civil actions and thereupon the surety or sureties shall be discharged from further liability.

Justice of Peace may direct warrant against person charged with being the father of a bastard child to an officer living in the county where such respondent lives or may be found.

Surety may surrender principal in bastardy bond.

SECT. 3. *Be it further enacted*, That in all cases of process against bail or against an endorser of a writ in proceedings before Justices of the Peace or Judges of Municipal Courts where the Defendant in such process resides out of the County wherein the said proceedings are had the Justice of the Peace or Judge of a Municipal Court by whom such process is issued is hereby authorized to direct the same to any proper officer of the County where the Defendant resides, *Provided*, no officer shall

Process against bail or endorser of writ may be directed to an officer in county where Debtor lives.

Travel of officer to be taxed from residence of officer to place of service.

tax, under the provision of this Act for a greater number of miles travel, than the distance from the residence of said officer to the place of service of said execution, and the postage for the receiving and return of said execution.

[Approved by the Governor, March 15, 1836.]

Chapter 211.

AN ACT concerning Limited Partnerships.

Limited partnerships may be formed, but not for banking or insurance.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That limited Partnerships, for the transaction of Mercantile, Mechanical or Manufacturing business, within this State, may be formed by two or more persons, upon the terms, and subject to the conditions and liabilities hereinafter prescribed: *Provided however,* that nothing in this Act contained shall authorize such partnerships for the purpose of banking or insurance.

May consist of general and special partners.

SECT. 2. *Be it further enacted,* That Partnerships formed under this Act, may consist of one or more persons, who shall be called general Partners, and who shall be jointly and severally responsible, as general Partners now are by law; and of one or more persons who shall contribute a specific sum in actual cash payment as Capital, to the common stock, who shall be called Special Partners, and who shall not be liable for the debts of the partnership beyond the sum so contributed by him or them to such Capital.

Special partners' liabilities limited.

Partners to sign a certificate of the name of their firm and of the partners and their residence.

SECT. 3. *Be it further enacted,* That persons forming such Partnerships shall make, and severally sign a certificate, which shall contain the name or firm, under which said partnership is to be conducted; the names and respective places of residence