

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

NINETEENTH LEGISLATURE,

JANUARY SESSION, 1839.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:
SMITH & ROBINSON, PRINTERS TO THE STATE.

1839.

State, a suitable Gold Standard Balance; also a suitable standard Balance for avoirdupois weights; both of which, together with the Weights and Measures, to be kept at the State House, and to be used only for the trying and regulating other Weights and Measures with the State standard.

SEC. 4. *Be it further enacted*, That it shall be the duty of the several County Treasurers, at the expense of their respective Counties, before the first day of July next, and once in every ten years afterwards, to have their County standard of Weights compared, proved and sealed by the State standard of Weights; and it shall be the duty of the Treasurers of the several towns within this State, at the expense of their respective towns, within one year after the first day of July next, and once in every ten years afterwards, to have their standard Weights compared, proved and sealed by the State standard, or by the standard of the County wherein such town shall be situated.

County standard to be proved by State standard, every ten years.

Town standards of weights to be proved by the State or County standard every ten years.

SEC. 5. *Be it further enacted*, That the ninth, and twelfth sections, and so much of the remainder of an act, entitled "an act for the due regulation of Weights and Measures," passed February 5, 1821, as is inconsistent with the provisions of this act, be and the same is hereby repealed.

Parts of former acts repealed.

[Approved by the Governor, March 2, 1839.]

Chapter 376.

AN ADDITIONAL ACT relating to trespasses on the Public Lands.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That all actions for trespass committed on the the lands belonging to the State, or to the Commonwealth of Massachusetts or to the two States in common, may be commenced and prosecuted to final judgment in

Actions for trespasses on State lands, &c. may be prosecuted, &c. in any County.

Act, when in force.

any County in the State any law or usage to the contrary notwithstanding, and this act shall be in force from and after its approval by the Governor.

[Approved by the Governor, March 4, 1839.]

Chapter 377.

AN ACT relating to Divorces.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That in

In case of libel for divorce, either party to have right of trial by jury.

all cases of libel for divorce from the bonds of matrimony now pending or hereafter to be instituted, either party shall have a right to a trial by a jury of the country provided they or either of them shall so elect; but in case neither party shall so elect, then the issue shall be tried by the Judge who may hold the Court;—and in case the Court or jury shall find the facts alleged in the libel to be proved, the same being sufficient by the laws of this State to authorize a divorce, the Court shall thereupon decree a divorce of the parties as prayed for; and the Justices of the Supreme Judicial Court are hereby

Proviso.

Court authorized in certain cases to decree a divorce.

New trial to be granted by S. J. Court in certain cases.

vested with discretionary power to grant a new trial in all cases of divorce, whenever they shall judge it to be reasonable, and where the parties have not lived together since the first trial, upon the application of the party aggrieved by the judgment in the former trial, on such terms and conditions as to said Justices may seem equitable and just: *Provided, however,* That but one new trial shall be granted for the same cause, and that no application for such new trial shall be sustained after a lapse of three years from the final termination of the first trial.

Proviso.

[Approved by the Governor, March 4, 1839.]