

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.

Sums exceeding \$100 in hands of agent, to be deposited in certain Banks, &c.

Agent to render account annually to Legislature.

Acts repealed.

Sec. 8. *Be it further enacted*, That if at any time the said Agent or Agents shall have money in his or their hands belonging to said tribe, exceeding one hundred dollars, he or they shall deposit the same in some one of the Banks in the County of Washington, at such rate of interest as may be agreed upon, until required for the purposes of this act : and it shall be the duty of the said Agent or Agents, to transmit his or their accounts to the Legislature, annually, for approval and adjustment ; and the amount of commissions and expenses mentioned in the sixth section of this act, shall be allowed and paid from the Treasury of the State.

SEC. 9. *Be it further enacted*, That all acts and parts of acts inconsistent with this act, be, and are hereby repealed.

[Approved by the Governor, March 13, 1839.]

Chapter 389.

AN ACT additional to an Act concerning Stud Horses.

Owners or keepers of stud horses to publish notice of payment of tax.

SEC. 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled*, That the owner or keeper of any stud horse kept for the use of mares, shall publish in every notice or handbill which he may publish, or put up, giving notice of said horse, the receipt of the city, town, or plantation Treasurer to whom the tax on said horse shall have been paid.

Lien on horse in case of refusal to pay tax.

SEC. 2. *Be it further enacted*, That whenever the owner or keeper of any stud horse that is kept for the use of and put to mares shall refuse to pay the tax on said horse required by law, said horse shall be held in lieu thereof and shall be taken and sold by the Treasurer or Collector of the city, town or plantation in which said horse shall be owned or

Treasurer or collector authorized to sell same.

kept, and so much of the money arising from the sale of said horse as shall be necessary appropriated to the payment of said tax and expenses of sale, and the overplus, if any, paid to the owner of said horse.

[Approved by the Governor, March 13, 1839.]

Chapter 390.

AN ACT concerning the mortgage of personal property.

SEC 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That no mortgage of personal property hereafter made where the debt thereby secured amounts to more than the sum of thirty dollars, shall be valid against any other person than the parties thereto, unless possession of the mortgaged property be delivered to, and retained by, the mortgagee, or unless the mortgage be recorded by the clerk of the town, city or plantation where the mortgagor resides.

Possession of personal property necessary to make valid mortgage of same, in hand of mortgagee, unless recorded.

SEC. 2. *Be it further enacted,* That nothing contained in the preceding section shall avoid or defeat any contract of bottomry or respondentia, nor any transfer, assignment, or hypothecation of any ship or goods, at sea or abroad, if the mortgagee shall take possession of such ship or goods, as soon as may be after the arrival thereof within this State.

Not to defeat contracts of bottomry, &c.

Provided.

SEC. 3. *Be it further enacted,* That the said clerk, upon the payment of his fees, shall record all such mortgages of personal property that shall be delivered to him, in a book to be kept for that purpose, noting in said book and also on the mortgage, the time when the same is received; and any such mortgage shall be considered as recorded, at the

Duty of clerk in recording mortgages.