

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-FOURTH LEGISLATURE

OF THE

**S T A T E O F M A I N E ,**

**A. D. 1844.**

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

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*AUGUSTA:*

W<sup>M</sup> R. SMITH & Co., PRINTERS TO THE STATE.

1844.

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PUBLIC LAWS

OF THE

STATE OF MAINE,

1844.

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## Chapter 102.

AN ACT relating to stolen property.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

In all actions now pending, or which may hereafter be commenced, for the recovery of stolen property, or the value thereof, such action may be maintained by the party injured, against any person legally accountable, although the offender may not have been convicted of the theft or larceny.

Relative to stolen property.

[Approved March 16, 1844.]

## Chapter 103.

AN ACT to amend chapter one hundred and thirty-three of the revised statutes in relation to taking depositions.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

Whenever the testimony of a judge of the supreme judicial court, district court or court of probate, of this state, shall be needed in any suit or cause pending or that may hereafter be brought in any court within this state, and the said judge shall be prevented by official duty, from giving his personal attendance as a witness in such cause or suit, his deposition may be taken and used, and the cause of caption shall be certified by the magistrate taking the same.

Ch. 133, R. S. in relation to depositions, amended.

[Approved March 16, 1844.]

## Chapter 104.

AN ACT additional to the one hundred and twenty-fifth chapter of the revised statutes.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

SECT. 1. In all real actions on mortgage, or bargain and sale with defeasance, the judgment shall be conditional, that if the mortgagor or vendor, his heirs, executors or administrators, shall pay unto the mortgagee or vendee, his executors or administrators, such sum as the court shall adjudge due, within two months from the time of entering up judgment, with interest, then no writ of

Additional to ch. 125 R. S. relative to real actions on mortgage, &c.

CHAP. 105.

possession shall issue, otherwise the plaintiff shall be entitled to his writ of possession in due form of law.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act, and section ninth of the chapter to which this is additional, are hereby repealed.

[Approved March 16, 1844.]

**Chapter 105.**

AN ACT in addition to an act, regulating the alewife fishery in the town of Bristol.

*Be it enacted by the Senate and House of Representatives in Legislature assembled,* as follows :

Placing nets, weirs, &c. in Pemaquid river from May 1 to July 1, prohibited.

SECT. 1. No person shall be allowed to set or place any net, weir, seine, or other machine in the Pemaquid river, or in or across any stream, creek, inlet or cove, in said river, from the first day of May to the first day of July, within one mile from the junction of the fresh stream with the river aforesaid, under the penalty of ten dollars for each and every offence.

Penalty.

How recoverable.

SECT. 2. All penalties or forfeitures under this act shall be sued for and recovered, as is provided for in section six of the act to which this is additional.

[Approved March 19, 1844.]

**Chapter 106.**

AN ACT authorizing school districts in this state to purchase school libraries.

*Be it enacted by the Senate and House of Representatives in Legislature assembled,* as follows :

School districts may purchase libraries.

SECT. 1. Any school district in this state is hereby authorized to purchase with any money that may be appropriated to said district for school purposes, a library for the use of the school ; provided, a majority of the district shall so vote. But there shall not be expended in one year more than five per cent. of the whole amount appropriated to any district in the year.

Expenditures restricted.

Adjacent districts may unite for purchase of libraries.

SECT. 2. If any two adjacent districts shall severally vote to unite for the purchase of a library, they are hereby authorized so to do.