

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1848.

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

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1848.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1848.

CHAP. 49.

Chapter 49.

An act relating to the duties of the reporter of decisions of the supreme judicial court.

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

Duties of the reporter of the decisions of the S. J. court.

SECT. 1. The reporter of decisions of the supreme judicial court, shall attend personally all the law terms of said court and make true and authentic reports of all their decisions, written or oral, on all legal questions, whether arising at common law, in equity, or by virtue of its jurisdiction as the supreme court of probate, together with the points made by counsel in argument and the authorities cited. And shall also report all questions of law, that shall arise and be decided in trials for capital offenses, and in the hearing and trial of such other matters as are required to be heard and determined by a majority of the justices of said court.

Duty of the court.

SECT. 2. When judgment in any of the cases mentioned in the preceding section shall be entered at any other than the law term, the court shall communicate to the reporter a statement in writing of their decisions or opinion in the case.

When reporter shall be absent from any law term.

SECT. 3. When the reporter shall be necessarily prevented from attending personally at any law term, he shall depute some suitable person to attend for him and take notes of the arguments and decisions, or the court may appoint a person to officiate in his stead, until he shall resume the performance of his duties, or until another shall be appointed by the governor.

SECT. 4. This act shall take effect from and after its approval by the governor.

[Approved July 22, 1848.]

Chapter 50.

An act in addition to the sixth chapter of the revised statutes.

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

Duty of clerks of towns and plantations.

In addition to the official returns of votes required by the sixth chapter of the revised statutes, it shall be the duty of each of the clerks of towns and plantations, as soon as practicable after any election for governor, senators, representatives to the legislature, representatives to congress, electors of president and vice president of the United States, and county

officers, to forward to the office of the secretary of state, a statement, attested by said clerk, of the number of votes for the several officers at such election, which statement shall be opened and filed by the secretary of state and preserved for the examination of the public.

CHAP. 51.

[Approved July 27, 1848.]

Chapter 51.

An act regulating costs in indictments against towns.

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

Whenever an indictment shall be found against any town for neglecting to make or repair any road therein, the complainant shall not be allowed any fees as a witness before the grand jury. And no fees shall be taxed for any other person as a witness before the grand jury in complaints against towns, unless such person shall be summoned by the county attorney or grand jury.

No fees allowed to complainant.

—nor to witnesses unless summoned by county attorney.

[Approved July 27, 1848.]

Chapter 52.

An act requiring certain contracts to be in writing.

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

No action shall be brought and maintained upon any special contract or promise to pay a debt, from which the debtor has been discharged by proceedings under the bankrupt laws of the United States, or the assignment laws of this state, unless such contract or promise be made or contained in some writing, signed by the party chargeable thereby.

Contract to pay a debt from which the debtor has been discharged, not binding, unless made in writing.

[Approved August 3, 1848.]