

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.

property, funds or rights in action shall be held to respond the judgment aforesaid, and to issue all such processes to enforce the said order and decree and to cause payment to be made to the judgment creditor or creditors as aforesaid, as they now have in cases in chancery.

SECT. 3. The court shall have power to allow the amendment of said complaint by striking out the names of any persons summoned as aforesaid, or by adding the names of any other persons, who shall be summoned into court and held to answer unto said complaint in such manner as the court shall direct, and also to award legal costs to any of the parties to said complaint as justice and equity may require.

Power of the court to allow the amendment of such complaint.

[Approved August 10, 1848.]

Chapter 65.

An act giving further time to redeem lands forfeited to the state for non-payment of taxes and for the disposition of lands which may hereafter become forfeited.

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

SECT. 1. It shall be the duty of the treasurer of state within thirty days from the approval of this act to publish a list of all tracts of land forfeited to the state for non-payment of taxes, specifying the amount of taxes due on each and the time allowed by this act to pay the same, and hereafter, annually, on the first Monday of September, the treasurer shall publish a similar list of all tracts of land which may then have become forfeited, for the term of six months, once each week in the Eastern Argus, Portland Advertiser, Augusta Age, Kennebec Journal, Bangor Democrat and Bangor Courier, or as many of said papers as shall continue to be published.

Duty of treasurer of state to publish a list of all tracts of land so forfeited, annually.

SECT. 2. Any owner, tenant in common or other person having a legal interest in any tract of land so forfeited, or that may become forfeited to the state for non-payment of taxes, may pay to the treasurer at any time previous to the advertisement aforesaid or on or before the first day of March of each year, after said lands are advertised as aforesaid, the proportion due on his part of any tract of land of all taxes, interest and cost then due and the treasurer's receipt shall discharge his part of said tract.

Time when any owner, or person having a legal interest in any land, so forfeited, may redeem his part.

CHAP. 65.

List to be furnished land agent of all such tracts or townships.

Same to be sold within 60 days.

Not proceeds to be paid into the treasury.

Owners may pay taxes, costs, &c., to land agent, before the land is sold.

—may redeem lands so sold within one year.

—entitled to receive their share of the net proceeds of such sale, within three years.

Record of sale in the land office, conclusive evidence of the facts.

SECT. 3. Immediately after the first day of March aforesaid, the treasurer shall furnish the land agent a list of all tracts or townships of land, which have been advertised, as provided in this act, on which the taxes, cost and interest have not been all paid; and the land agent shall within sixty days from that time sell the same at auction, having first given public notice of the time or times and place or places of sale, by publishing such notice three weeks successively in the state paper, and in some paper in the county where such land lies, if any paper is published therein; and the land agent after deducting the expenses of said sale and other expenses which shall have accrued in his office, which expense shall be divided as near as may be among the different lots sold according to their respective value, from the amount received on each township or tract, shall pay the balance to the treasurer, and shall furnish the treasurer with an account specifying the net amount received for each township or tract sold and shall record his doings in the premises: *provided however*, that the land agent may at any time after receiving the list aforesaid and before the land is sold, receive all the taxes, interest and cost due on any of said townships or tracts: *and provided also*, that the owner or owners of any township or tract of land sold under the provisions of this act shall have a right to redeem the same, by paying to the purchaser or his assigns the amount for which said township or tract was sold, with interest thereon at the rate of twenty per cent. per annum, and the cost of reconveying the same, at any time within one year from the time of sale.

SECT. 4. Any owner, tenant in common, or other person having a legal interest in any township or tract of land sold as aforesaid, on application to the treasurer and producing evidence of his ownership to his satisfaction, within three years from the time of sale, shall be entitled to receive his proportion of the balance remaining after said treasurer shall have deducted the amount of taxes, cost and interest due at the time of sale, from the amount received of the land agent on account of said tract, to be paid out conformable to the provisions of law.

SECT. 5. In any trial at law between the former owner of any tract of land sold by the land agent under the provisions of this act and the purchaser thereof or his grantee or alienee, the certified copy of the record of said sale in the land office shall be conclusive evidence of the facts it states.

SECT. 6. This bill shall take effect from and after its approval by the governor. CHAP. 66.

[Approved August 10, 1848.]

Chapter 66.

An act to increase the salary of the deputy warden of the state prison.

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

SECT. 1. The salary of the deputy warden of the state prison, shall be four hundred dollars, instead of three hundred and forty dollars as now established by law; and all acts and parts of acts, inconsistent with the provisions of this act, are hereby repealed. Salary \$400.

SECT. 2. This act shall take effect and be in force from and after its approval by the governor.

[Approved August 10, 1848.]

Chapter 67.

An act additional to "an act to restrict the sale of intoxicating drinks," approved August seventeenth, eighteen hundred and forty-six.

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

SECT. 1. The first section of an act to which this is additional shall be amended in the third and fourth lines of said section, by adding in each of said lines the words "or intoxicating" after the word spirituous, so that said section as amended will read as follows: "No person shall be allowed at any time, to sell by himself or his clerk, servant or agent, directly or indirectly, any wine, brandy, rum or other spirituous or intoxicating liquors, or, any liquors a part of which is spirituous or intoxicating, except as hereinafter provided." Sale of intoxicating liquors prohibited.

SECT. 2. The fifth section of said act shall be amended in the second and third lines by adding in each of said lines, after the word spirituous, the words "or intoxicating" so that said section as amended shall read as follows: "If any person, by himself, clerk or servant or agent, shall at any time sell any wine or spirituous or intoxicating liquors, or any mixed liquors, Penalty for selling intoxicating liquors.