

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## TWENTY-EIGHTH LEGISLATURE

OF THE

# STATE OF MAINE,

A. D. 1848.

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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:**

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1848.

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PUBLIC LAWS

OF THE

STATE OF MAINE,

1848.

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at their place of destination, previous to being rafted for sale or manufacture. CHAP. 73.

SECT. 2. Any person having a lien as aforesaid may secure the same by attachment, and the officer attaching the logs, masts, spars or other lumber, under this act, may pay to any boom corporation the toll which may be due and demanded thereon, and make return of the amount so paid on the writ, and such amount shall be added by the court to the judgment which the plaintiff may recover, in the suit on which the same were attached and the officer paying such boomage shall not be required to pay any larger sum on such logs, masts, spars or lumber, than the rate per thousand due on the same. How secured.

[Approved August 10, 1848.]

### Chapter 73.

An act in addition to "an act to secure to married women their rights to property."

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

SECT. 1. Any married woman, who is seized and possessed of property, real or personal, as provided for in the act to which this is additional, shall be entitled to the appropriate remedies, as authorized by law in other cases, to enforce and protect her rights thereto; and she may commence, prosecute or defend any suit, in law or equity, to final judgment and execution, in her own name, in the same manner as if she were unmarried, or she may prosecute or defend such suit jointly with her husband. And she is hereby authorized to make and execute any bond or contract, or to do and perform any matter or thing, which may be necessary to the prosecution or defense of any such suit, but no arrest of the person of any married woman shall be authorized under any execution, which may be recovered against her. May prosecute and defend suits in her own name.

SECT. 2. In all such suits, where the wife shall prosecute and defend in her own name, judgment shall be rendered and execution issued and enforced by or against her, in the same manner as if judgment had been rendered for or against her before her marriage. Authorized to execute bonds, contracts, &c.

SECT. 3. When any married woman shall die intestate, seized or possessed of any property, real or personal, in her Of arrest.

Judgment and execution.

How property of an intestate married woman descends.

CHAP. 74.

will.

own name, exempt from the debts or contracts of her husband, the same shall descend or be distributed to her heirs; but any married woman may, by will duly executed, devise and bequeath any property of which she is, or may be hereafter so seized or possessed.

[*Approved August 10, 1848.*]

**Chapter 74.**

An act to increase the salary of the judge of probate in Somerset county.

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

Salary \$200.

SECT. 1. The salary of the judge of probate, for the county of Somerset, shall be two hundred dollars per annum, instead of the salary to which he is now entitled by the one hundred and fiftieth chapter of the revised statutes.

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

[*Approved August 10, 1848.*]

**Chapter 75.**

An act to amend the fifth chapter of the laws of eighteen hundred and forty-seven.

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

The fifth chapter of the public laws, approved June twenty-first, eighteen hundred and forty-seven, entitled "an act to amend the one hundred and fifth chapter of the revised statutes," is hereby amended by striking out all after the words "United States" in the sixth line, so that the same as amended, shall be as follows:

Cases in which  
no probate or ad-  
ministration  
shall be granted.

Exceptions.

"SECT. 39. No probate of any last will, nor administration on the estate of any person deceased, shall be originally granted after the expiration of twenty years from his decease, excepting it shall appear satisfactorily to the judge of probate, that there are any moneys due to the estate of said deceased, from the government of the United States."

[*Approved August 10, 1848.*]