

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## TWENTY-NINTH LEGISLATURE

OF THE

## STATE OF MAINE,

A. D. 1849.

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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.

1849.

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PUBLIC LAWS

OF THE

STATE OF MAINE,

1849.

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CHAP. 105.**Chapter 105.**

An act to amend 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 :*

R. S. ch. 125,  
mortgages.  
Prima facie evi-  
dence of entry,  
notice, publica-  
tion of foreclo-  
sure, &c.

The one hundred and twenty-fifth chapter of the revised statutes is hereby amended by adding to the fifth section thereof the words following—"and in all cases the certificate of the register of deeds shall be received as prima facie evidence of the fact of any entry, notice, publication of foreclosure, and sheriff's return, referred to in this chapter; and when the foreclosure is by an action at law an abstract of the writ of possession, with the time of obtaining possession, certified by the clerk of the courts where judgment was rendered, shall be recorded within thirty days after possession is obtained, in the registry of deeds in which the mortgage is or ought to be recorded."

Writ of posses-  
sion to be record-  
ed in registry of  
deeds, in certain  
cases.

[Approved July 23, 1849.]

**Chapter 106.**

An act additional to "an act establishing town courts," approved March twenty-second, eighteen hundred and forty-four.

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

Power of justices  
where their pre-  
decessors have  
deceased without  
having appointed  
a recorder.

In all cases where the justices of trials for town courts have deceased or hereafter may decease, without having appointed a recorder, their successors in office, on being qualified to act as such, according to the act to which this is additional, shall have power to enter, try and dispose of, all actions pending in their respective courts, and generally to hear, try and dispose of, all actions continued and remaining on their dockets, and render judgment and issue executions thereon, in as full and ample a manner as such deceased justices themselves would have power to do were they living and able to perform the duties of their office.

[Approved July 23, 1849.]