

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1849.

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.

1849.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1849.

Chapter 114.

CHAP. 114.

An act concerning the registry of marks upon certain logs.

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

SECT. 1. The "fac simile," together with the name or names of those who claim the same, of any mark or marks to be put upon logs and designed to distinguish them from other logs, and which may hereafter be hauled into the Penobscot river or its tributaries above Bangor, may be recorded in the Penobscot registry of deeds, in a book kept for that purpose; but such record shall not be valid for the purposes of this act, unless said mark or marks shall substantially differ from all mark or marks before recorded, and unless said record is made before said mark or marks are put upon the logs.

Marks upon certain logs hauled into the Penobscot river, to be recorded in the Penobscot registry of deeds.

SECT. 2. The burden of proof shall be upon the claimant of logs or lumber of an unregistered mark or marks, to distinguish his logs or lumber from other logs or lumber, the mark or marks of which have been recorded as aforesaid. And the owner or owners of logs or lumber of an unregistered mark shall in addition be liable to the owner of logs or lumber of a registered mark or marks for all damages for want of a record of said mark as aforesaid.

Burden of proof shall be upon claimants of logs of unregistered marks.

Liability of owners.

SECT. 3. The register of deeds shall receive as fees ten cents for each mark recorded; and he shall record the same with the time of the record.

Fees for recording such marks.

SECT. 4. This act shall not apply to logs cut by a trespasser or trespassers.

Not to apply to logs cut by trespassers.

SECT. 5. This act shall be published in all the newspapers printed in the counties of Somerset, Penobscot and Piscataquis, three weeks successively, before the first day of October next, at which time this act shall take effect and be in force.

[Approved July 31, 1849.]

Chapter 115.

An act additional to an act concerning the commencement of civil actions.

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

SECT. 1. The second section of an act entitled "an act additional to an act concerning the commencement of civil

Sec 2 of act approved July 23, 1849, not to ex-

CHAP. 116.

tend to or affect
actions com-
menced prior to
Dec. 1, 1848.

actions," approved July twenty-third, one thousand eight hundred and forty-nine, shall not extend to or affect actions commenced previous to the first day of December last past.

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

[Approved August 7, 1849.]

Chapter 116.

An act additional to chapter eighty-nine of the revised statutes, and giving further power to the supreme judicial court in cases of divorce.

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

When a divorce
from the bond of
matrimony may
be decreed.

SECT. 1. A divorce from the bond of matrimony may be decreed by any justice of the supreme judicial court at any term thereof held in the county in which either of the parties reside, when such justice in the exercise of a sound discretion, may deem the same reasonable and proper, conducive to domestic harmony and consistent with the peace and morality of society ; and the same orders and decrees may be made, and the same proceedings had as are prescribed in the chapter to which this is additional.

Libel shall particularly allege
the causes for
which the di-
vorce is asked.

When the case
may be submit-
ted to the jury.

SECT. 2. When a libel is filed in said court, the libellant shall particularly allege therein the cause or causes for which the divorce is asked, and shall be held to prove the same ; and if either party request it, or if the court shall so order, the matter shall be submitted to the jury, and if the jury find that the allegations in the libel are true—that the prayer of the libellant is reasonable and proper, and that a divorce would be conducive to domestic harmony, for the good of the parties and consistent with the peace and morality of society, the court shall proceed to decree the same.

Act approved
July 13, 1849,
repealed.

SECT. 3. An act additional to chapter eighty-nine of the revised statutes, approved July thirteen, eighteen hundred and forty-seven, is hereby repealed, saving and excepting all cases now pending under the same.

[Approved August 7, 1849.]