

# 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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**Chapter 149.**

An act to amend the one hundred and fortieth chapter of the revised statutes.

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

Chapter one hundred and forty of the revised statutes is hereby so amended that any judge of a district court shall have the same power to issue writs of habeas corpus, and to hear and determine upon the same, that is now conferred by the provisions of said chapter upon a judge of the supreme court. But nothing in this act contained shall authorize any justice of the district court to interfere to relieve any person committed or in custody by order of any justice of the supreme judicial court, nor shall the district court exercise the power hereby granted, when the supreme judicial court is in session in the county where the exercise of such power is prayed for, or when any justice of said supreme court is known to be within said county. And this act shall take effect from and after its approval by the governor.

Power of judge of district court to issue writs of habeas corpus.

[Approved August 15, 1849.]

**Chapter 150.**

An act to promote the sale and settlement of the public domain.

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

SECT. 1. That whenever any person shall hereafter purchase a lot of wild land of the state not exceeding one hundred and sixty acres, for the purpose of settling thereon, and shall comply with the conditions of the purchase, such person shall hold the same, with the improvements thereon, exempt from attachment on mesne process and execution during the time such purchaser shall remain in the actual possession and improvement thereof; and at the decease of such person, the same shall descend to the children of the deceased, notwithstanding other property sufficient to pay the debts of such person may not have been left: *provided, however,* the value of property thus exempted shall not exceed one thousand dollars, to be set out to the owner from such portion of the premises as the owner may direct, in the same manner as levies are made upon real estate, and by the same appraisers that may at any time be appointed to set out the excess to any judgment creditor.

Settling lots purchased of the state, not exceeding 160 acres, exempt from attachment.

Not to exceed in value \$1,000.

How appraised.

## CHAP. 151.

Estate of children therein.

SECT. 2. The children to whom the land may descend exempted as aforesaid shall have an estate for years therein, to be determined upon the arrival at the age of eighteen years of the youngest surviving child of the deceased, the provisions of this section to apply only in cases where the deceased has not left other property sufficient to pay his debts.

After termination of such estate, may be sold to pay the debts of deceased.

SECT. 3. The remainder on said estate, after the termination of the estate for years created by this act, may be sold to pay the debts of the deceased in the same manner as other real estate of deceased persons.

Descent if he die without issue.

SECT. 4. If any person who may have held a lot exempted by the provisions of this act, shall die without issue, the same shall descend or be disposed of in the same manner as other property.

Not to alienate, unless the wife join in the deed of conveyance, &c.

SECT. 5. No person shall be allowed to alienate by deed a lot exempted as aforesaid, unless his wife join him in the conveyance, and she shall be required to acknowledge the same to be her free act and deed before a proper magistrate.

Widow's right of dower.

SECT. 6. Nothing herein contained shall bar the widow of her right of dower in the premises exempted as aforesaid.

[Approved August 15, 1849.]

## Chapter 151.

An act relating to mutual fire and marine insurance companies.

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

Duty of bank commissioners to examine into the condition of such companies.

SECT. 1. The bank commissioners shall in addition to the duties now required of them by law, inquire into and examine at least once in a year the several mutual fire and marine insurance companies doing business in this state. They shall ascertain the condition of said companies, the amount of their capital or premium notes, amount of risks, the number and amount of losses, and how the same have been paid, the amount paid by premiums, and amount paid by assessments, the expenses of the company including in separate items offices and agents, and whether there has been a departure by the company from their charter or by-laws, or from the ordinary and usual business and modes of doing business with like associations, and said commissioners shall make report of their