

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1852.

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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.

1852.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1852.

CHAP. 291.

Chapter 291.

An act in relation to the liabilities of husbands for the debts and contracts of their wives contracted before marriage.

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

Husbands exempt from debts, &c. of wives made before marriage.

SECT. 1. Hereafter when any man shall marry, his property shall be exempt from any and all liability for the debts or contracts of his wife made or contracted before marriage; but an action to recover the same may be maintained against such husband and wife, and the property of said wife held in her own right, if any, shall alone be subject to attachment, levy, or sale on execution, to satisfy all liabilities for such debts and contracts, in the same manner as if she were unmarried.

Property of wife holden.

Wife may defend alone or jointly with her husband. Not liable to arrest.

SECT. 2. In any such action the wife may defend alone or jointly with her husband; but no arrest of the person of such husband or wife shall be authorized upon any writ or execution arising under this act.

Rights of married women under the age of 21 years.

SECT. 3. Any married woman under the age of twenty-one years shall have, and may exercise, all the rights, privileges and powers enumerated in the several acts now in force, securing to married women their rights in property in the same manner, and with the same effect, as though she were of full age.

SECT. 4. This act shall take effect and be in force from and after its approval by the governor.

[Approved April 26, 1852.]

Chapter 292.

An act concerning judicial proceedings.

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

Judgment on cases marked law, prohibited until the first term of said court in said county.

SECT. 1. No judgment shall be entered, in any action or process now pending in the supreme judicial court, in any county, and marked law on the docket of the clerk of said court, until the first term of said court, held within and for said county, according to the provisions of an act entitled "an act concerning the supreme judicial court and its jurisdiction," approved April ninth, eighteen hundred and fifty-two, notwithstanding the supreme court held within and for the district within which said county is situated, may before that time, give an opinion decisive of the case; and all law cases now

pending, shall be entered and have day in the next law term of said court, held within and for said district.

CHAP. 293.

SECT. 2. All motions for new trials or reviews, where the ground of the motion is the alleged discovery of new evidence, in any action now pending, or which may hereafter be pending in any court, may be filed in the office of the clerk of said court, therein stating the substance of said new evidence, and the names of the witnesses, by whom the allegations are to be proved, under oath, either in term time or in vacation; and if in term time, said notice shall be given the adverse party, as the court shall order; but if in vacation, the adverse party shall be served with a true and attested copy of said motion, fourteen days at least, before the sitting of said court; and the same shall be heard and tried in the same manner, as are petitions for reviews.

Motions for new trials, &c.

Notice in term time, how given.
Notice in vacation, how given.

SECT. 3. This act shall take effect and be in force, from and after the thirtieth day of April, in the year of our Lord one thousand eight hundred and fifty-two.

[Approved April 26, 1852.]

Chapter 293.

An act establishing a commissioner of common schools in each county in the state.

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

SECT. 1. The governor and council shall annually appoint a commissioner of common schools in each county of the state, who shall severally hold their offices for the term of one year commencing on the first day of May, annually.

Commissioners, appointment of, &c.

SECT. 2. It shall be the duty of each school commissioner to spend at least fifty days (during the term of the winter schools) in visiting the towns in his county, for the purpose of promoting by addresses, inquiries and other means, the cause of common school education, and annually to make a report to the legislature, of his doings under this act, of the character of teachers, and of the order and condition of the schools and school houses in his county, together with all such other information and suggestions as his experience and observation may enable him to offer, calculated to advance the cause of popular education.

Duties.

Report to the legislature.