

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

1857.

Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26, 1840,
and March 16, 1842.

AUGUSTA:
STEVENS & BLAINE, PRINTERS TO THE STATE.
1857.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1857.

Chapter 1.

An act in relation to the attachment of real estate and immovable personal property.

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

SECTION 1. Whenever under the provisions of any existing law the officer making an attachment of estate, real, personal or mixed, is required to file with the register of deeds or town clerk a statement of the sums sued for, it shall be sufficient to file a statement of the value of defendant's goods and estate which the officer is directed to attach.

Attachment &c.,
officer may file,
for record, value
of property
directed to be
attached.

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

[Approved February 16, 1857.]

Chapter 2.

An act to amend the thirty-first section of the twenty-fifth chapter of the revised statutes, relating to the payment of damages caused by the laying out of private ways.

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

The thirty-first section of the twenty-fifth chapter of the revised statutes is hereby amended by the insertion of the following words

Ch. 25, sec. 31,
R. S. amended.

CHAP. 3.

Private ways,
towns may
assume payment
of damages.

Proviso.

after the word "discontinued" and before the period of the seventh line of the section aforesaid, to wit: But the town may, by vote thereof passed at the time of the acceptance of any private way, assume the payment of any part or the whole of such compensation for damages caused by laying out such private way; *provided*, an article for that purpose shall have been inserted in the warrant by which the town meeting was called; *and provided*, that in cities, such assumption of payment shall have been proposed in the return of the laying out of such private way. And the word "but" in the fifth line of said thirty-first section is stricken out and the word "and" inserted in its place.

[Approved February 17, 1857.]

Chapter 3.

An act in relation to the supreme judicial court.

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

Act repealed.

—revived.

SECT. 1. The act in relation to the supreme judicial court, approved April ninth, one thousand eight hundred and fifty-six, is hereby repealed; and all acts and parts of acts repealed by said act are hereby revived, excepting sections one, two and four of the "act additional concerning the supreme judicial court and its jurisdiction," approved March sixteenth, eighteen hundred and fifty-five.

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

[Approved February 18, 1857.]

Chapter 4.

An act respecting judicial proceedings.

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

Transitory
actions,
transfer of, in
certain cases.

SECT. 1. In all transitory actions between parties residing, at the commencement thereof, in different counties in this state, except in cases of foreign attachment, when the party plaintiff, or the party defendant, shall, during the pendency of such action, remove into the county where the other party resides, such action shall, on motion of either party, be transferred to said last named county,