

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

1858.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February  
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1858.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1858.

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**Chapter 20.****CHAP. 20.**

An act to amend chapter forty, section fifty-three of the revised statutes, relating to the taking of fish from Moosehead lake.

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

SECT. 1. The fifty-third section of chapter forty of the revised statutes is hereby amended so as to read as follows :

Ch. 40, sect. 53,  
R. S. amended.

SECT. 53. All persons are hereby prohibited from taking any fish from Moosehead lake, or from its coves, creeks or inlets, during the months of October and November of each year, and from taking any fish in the waters aforesaid with seines or nets during any part of the year, under a penalty of ten dollars for each offence; one half thereof to the use of the prosecutor and the other half to the use of the state.

Taking fish  
prohibited in  
Oct. and Nov.,  
and with seines  
and nets.

Penalty.

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

[Approved March 19, 1858.]

**Chapter 21.**

An act relating to executions against sheriffs.

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

SECT. 1. No sheriff shall be arrested upon any writ or execution in any civil action; but when a judgment is rendered against him in his private or official capacity the execution thereon shall issue against his property; but not against his body; yet he may after notice that such execution has issued, unless upon a judgment for his own official delinquency, cite the creditor and make disclosure of the actual state of his affairs in the manner provided by law for poor debtors arrested upon execution; and if the execution is returned unsatisfied, and he shall not have made such disclosure, or if the judgment was rendered for his own official delinquency, the creditor may file an attested copy of such execution and return, with the governor and council, and serve on such sheriff a copy of such copy, attested by the secretary of state, with a notice under his hand of the day on which such copy was filed, and if such sheriff does not within forty days after such service, pay the creditor his full debt with reasonable cost for copies and service of them, he thereby vacates his office. But when he ceases to be sheriff the clerk may issue alias

Sheriffs not liable to arrest in civil action, executions issue against property.

—may disclose.

—failing to pay or disclose, vacates his office.

CHAP. 22.

Alias execution against body in such case. Sect. 17, ch. 80, R. S. repealed.

executions against his property and body, if he has not before disclosed under the provision of this act.

SECT. 2. Section seventeen of chapter eighty of the revised statutes is hereby repealed.

[Approved March 19, 1858.]

Chapter 22.

An act relating to certain courts in the county of Lincoln.

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

January term, S. J. court, Lincoln, to be held at Rockland.

SECT. 1. The term of the supreme judicial court which is now required to be holden at Wiscasset, within and for the county of Lincoln, on the fourth Tuesday of January annually, shall, on the fourth Tuesday of January, in the year of our Lord one thousand eight hundred and fifty-nine, and each year thereafter, be holden at Rockland in said county; and the term of the court of county commissioners, which is now required to be holden at Wiscasset, on the second Tuesday of January annually, shall, on the second Tuesday of January, in the year of our Lord one thousand eight hundred and fifty-nine, and each year thereafter, be holden at Rockland aforesaid.

Commissioners court to be held at Rockland in January.

Writs, precepts, &c., where returnable.

SECT. 2. All writs, petitions, orders, decrees, certificates, reports, warrants, complaints, indictments, and all processes of every kind whatever, civil and criminal, commenced for, pending in, and returnable to the courts at either of said terms, to be holden at Wiscasset aforesaid, shall be returned to, have day in, and be acted upon by the respective courts at Rockland aforesaid, at the terms to which such actions would have been, had not the place of holding said courts been changed, as provided in the first section of this act.

Rockland to provide suitable buildings.

SECT. 3. The previous sections of this act shall be wholly void and of no effect, unless the city of Rockland aforesaid, shall, on or before the first day of October next, without expense to the said county of Lincoln, provide a suitable court-room and other accommodations for the said courts and their officers, and also a safe and convenient place wherein to secure persons charged with crimes or misdemeanors during each session of the court to be holden as aforesaid, to the acceptance of the county commissioners for the said county of Lincoln, and execute and deliver to them a sufficient lease

Commissioners to accept.