

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1859.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.

1859.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1859.

CHAP. 60.

— effect.

law; but if a certificate of such oath has not been returned to and filed and recorded in the probate court, on the trial of any action respecting said estate, parol evidence may be received of such oath having been administered; and if it shall appear that such administrator, executor or guardian was duly sworn, it shall have the same effect as though a certificate thereof had been returned, filed and recorded.

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

[Approved February 24, 1859.]

Chapter 60.

An act in relation to powers of notaries public.

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

Notaries may
administer
oath.

When a notary public is authorized by the laws of this state or of the United States, or by the laws of any other state or country to do any official act, he may administer any oath necessary to the completion or validity of such official act.

[Approved March 5, 1859.]

Chapter 61.

An act to amend section thirty-four of chapter seventy-six of the revised statutes, relating to adjournment of sales by officers in certain cases.

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

Ch. 76, sec. 34,
R. S. amended.

SECT. 1. Section thirty-four of chapter seventy-six of the revised statutes of this state is amended by adding the following, viz: and when said officer is unable by reason of sickness or otherwise to attend at the time and place appointed for the sale, any other officer who can legally serve the precept on which the sale is to be made, shall have power to adjourn the sale for any time not exceeding ten days, and if at the end of the adjournment the inability is not removed, may proceed to sell in the same manner as the officer appointing the time and place of sale might do, and he shall have authority to make all necessary returns, and do all acts in relation thereto in the same manner as the officer appointing the time and place of sale