

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

# ACTS AND RESOLVES

PASSED BY THE

## THIRTY-NINTH LEGISLATURE

OF THE

## STATE OF MAINE.

1860.

---

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

---

AUGUSTA:  
STEVENS & SAYWARD, PRINTERS TO THE STATE.  
1860.

---

PUBLIC LAWS

OF THE

STATE OF MAINE.

1860.

---

**CHAP. 180.** **SECT. 2.** All acts and parts of acts inconsistent with this act are hereby repealed; and this act shall take effect and be in force when it shall be approved by the governor.

Acts repealed.

[Approved March 19, 1860.]

### Chapter 180.

An act to amend section five of chapter eighty-eight of the revised statutes, relating to partition of real estate.

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

Ch. 88, sec. 5,  
R. S. amended.

The fifth section of chapter eighty-eight of the revised statutes is hereby amended by inserting in the third line thereof, after the word "earlier," the following words: "may in the discretion of the court, be permitted to appear and defend at any time before final judgment, on such terms as may be imposed," so that said section as amended shall read as follows :

When persons  
not notified,  
may appear.

**SECT. 5.** A person interested and not named in the petition, or out of the state, and not so notified as to enable him to appear earlier, may, in the discretion of the court, be permitted to appear and defend, at any time before final judgment, on such terms as may be imposed. And any person, defendant in an action at law, or respondent in a petition for partition, may jointly with others, or separately, by brief statement, without a plea of the general issue, allege any matter tending to show that partition ought not to be made as prayed for.

Pleadings, how  
made.

[Approved March 19, 1860.]

### Chapter 181.

An act in addition to "an act to establish the county of Knox."

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

Actions des-  
cribed, to be  
transferred  
from Lincoln  
and Waldo  
counties to  
Knox.

**SECT. 1.** That in addition to the actions required by section five of "an act to establish the county of Knox," to be transferred to said county of Knox, all actions which may have been commenced, or may be pending in the supreme judicial court, in the counties of Lincoln or Waldo on the thirty-first day of March eighteen hundred and sixty, wherein the defendant or defendants are alleged in the writ as residing within the limits of said county of Knox, and the plaintiff or plaintiffs are alleged in the writ as residing without