

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1862.

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

AUGUSTA:
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1862.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1862.

CHAP. 119.**Chapter 119.**

An act to amend section fourteen of chapter one hundred and forty of the revised statutes relating to the service of process within the precincts of the state prison.

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

Chap. 140, Sec.
14, R. S.,
amended.

Precincts of
state prison
defined.

Fees for serving
processes
therein.

Warden shall
expose goods to
be replevied
outside prison
walls.

SECT. 1. Section fourteen of chapter one hundred and forty of the revised statutes is amended by adding thereto as follows :
The precincts of the prison within which the warden or his deputy shall serve processes, are bounded by the exterior walls of the prison yard. The warden and his deputy shall tax for serving, executing and returning processes, like fees as the sheriffs are by law allowed for similar services. The warden, on demand of any officer having a writ of replevin commanding him to replevy any goods or chattels belonging to any private individual, not a prisoner under the charge of the warden, from the possession of the warden, shall expose them outside of the prison yard, so that they may be replevied ; the officer paying the warden a reasonable charge for removal, to be taxed on the writ.

SECT. 2. This act shall not affect any action now pending ; and shall take effect when approved by the governor.

[Approved March 18, 1862.]

Chapter 120.

An act to amend section twenty-nine of chapter eighty-six of the revised statutes.

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

Chap. 86, Sec.
29, R. S.,
amended.

Section twenty-nine of chapter eighty-six of the revised statutes is hereby amended by adding after the word " plaintiff " the word defendant, and also further amended by striking out of said section the words " not stated or denied by the supposed trustee," so that said section as amended shall read as follows :

Trustees
answer deemed
to be true.

Parties may
prove facts.

SECT. 29. The answers and statements sworn to by a trustee shall be deemed true in deciding how far he is chargeable until the contrary is proved ; but the plaintiff, defendant or trustee may allege and prove any facts material in deciding that question.

[Approved March 18, 1862.]