

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.

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1862.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1862.

Chapter 121.

An act additional to an act relating to the foreclosure of personal mortgages.

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

SECT. 1. The notice of foreclosure, to be given the mortgageor, under the provisions of section three of chapter twenty-three of the public acts of the year eighteen hundred and sixty-one, approved March twelfth, in case the mortgageor is out of the state, although a resident therein, may be given by leaving such written notice at the last and usual place of abode of said mortgageor.

Foreclosure of personal mortgages.

Notice to mortgageor, how given.

SECT. 2. This act shall take effect on its approval by the governor.

[Approved March 18, 1862.]

Chapter 122.

An act in addition to chapter sixty of the revised statutes in relation to divorce.

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

SECT. 1. In addition to the mode of service already provided, the libel for divorce may be inserted in a writ of attachment, and served as other writs, by attachment, summons and copy ; which attachment shall be a lien on any real or personal property attached for the execution of any decrees of the court in such proceeding ; and the court shall have power to render any judgment necessary to carry such attachment into effect.

Libel for divorce, additional mode of service of.

Lien created by attachment.

SECT. 2. Section twelve of chapter sixty of the revised statutes is hereby repealed ; not to affect libels pending.

Sec. 12, chap. 60, R. S., repealed.

SECT. 3. This act shall take effect from its approval by the governor.

[Approved March 18, 1862.]

Chapter 123.

An act to amend chapter eighteen of the revised statutes, relating to ways.

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

SECT. 1. Section twenty-two of chapter eighteen of the revised statutes is hereby amended by striking out of said section all after the word "highways" in the ninth line thereof, and inserting in

Chap. 18, Sec. 22, R. S., amended.

CHAP. 124.

lieu thereof the following words: When their decision is returned and recorded, parties interested have the same right to appeal to the supreme judicial court in said county, and also the same right to have their damages estimated by a committee or jury as is provided in this chapter respecting highways; so that said section as amended shall read as follows:

Town way, neglect or refusal of municipal officers to lay out or alter.

Proceedings in case of.

County commissioners to hear and decide.

—appeal from decision of.

SECT. 22. When the municipal officers unreasonably neglect or refuse to lay out or alter a town way, or private way on petition of an inhabitant, or of an owner of land therein, for a way leading from such land under improvement to a town or highway, the petitioner thereof may within one year thereafter present a petition stating the facts to the commissioners of the county at a regular session, who are to give notice thereof to all interested and proceed to act thereon as provided respecting highways. When their decision is returned and recorded, parties interested have the same right to appeal to the supreme judicial court in said county, and also the same right to have their damages estimated by a committee or jury as is provided in this chapter respecting highways.

[Approved March 18, 1862.]

Chapter 124.

An act to limit costs recoverable by virtue of section eighteen of chapter eighty-two of the revised statutes.

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

Chap. 82, Sec. 18, R. S., amended.

SECT. 1. So much of section eighteen, chapter eighty-two of the revised statutes, which allows the plaintiff in an action more than single costs is hereby repealed.

SECT. 2. This act shall take effect on its approval by the governor.

[Approved March 18, 1862.]

Chapter 125.

An act to amend chapter eighty of the revised statutes, relating to sheriffs.

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

Chap. 80, Sec. 1, R. S., amended.

Section one of chapter eighty of the revised statutes is hereby amended by striking out of said section the word "Lincoln," and also by striking out of said section the words "within sixty days