

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 138.

CHAP. 138.

An act amendatory of chapter six of the revised statutes relating to the assessment of taxes.

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

SECT. 1. Section fifty-three of chapter six of the revised statutes shall be so amended as to read as follows : The assessors, or either of them, may require the person presenting such lists to make oath to its truth, which either of them may administer, and such lists being exhibited on oath shall be taken as true, unless such person shall refuse to answer all proper enquiries in relation to the nature and situation of his property, and if required subscribe and make oath to the same, to be taken in writing before a majority of the assessors who may act by themselves or counsel in taking the same.

Chap. 6, sec.
53, R. S.,
amended.
Lists to be
made on oath.

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

[Approved March 19, 1862.]

Chapter 139.

An act in relation to relief extended to families of volunteers and making valid the doings of towns in certain cases.

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

SECT. 1. Nothing contained in the act entitled "an act in aid of the families of volunteers," passed in the year of our Lord one thousand eight hundred and sixty-two, shall authorize any city or town to support any person mentioned in the first section of said act as a pauper at any poor-house or other place where the poor of such city or town are kept, nor shall the overseers of the poor of any city or town, as such, act as the agents of such city or town in dispensing the relief provided for by said act ; and any city or town violating the provisions of this act, forfeits all claim upon the state for reimbursement provided for in the act aforesaid.

Families of
volunteers not
to be supported
as paupers at
poor houses,
&c.

Forfeiture.

SECT. 2. The doings of cities or towns in raising or procuring money to aid the families of or persons dependent for support upon any soldier enlisted in this state for the service of the United States since the enlisting of the ten regiments, so called, under act of April twenty-fifth, eighteen hundred sixty-one, and the acts of such cities or towns in extending relief to the families or persons aforesaid, are hereby made valid.

Doings of cities
and towns
made valid.

CHAP. 140. SECT. 3. This act shall take effect from and after its approval by the governor.

[Approved March 19, 1862.]

Chapter 140.

An act additional to chapter ninety-four of the revised statutes entitled "forcible entry and detainer."

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

Chap. 94, Sec.
4, R. S.,
amended.

That section four of chapter ninety-four of the revised statutes be amended by inserting in the eighth line after the word "lies" in the last sentence of said section, the following words, to wit: or is out of the state, or sick or for other reasons unable to attend personally before said courts; so that as amended the last part of said section shall read as follows:—If the claimant lives out of the county where the estate lies, or is out of the state or sick or for other reasons unable to attend personally before said courts, the complaint may be made in his name, but be signed and sworn to by his agent or attorney, and if out of the state, it must be endorsed like writs; and in such case if a recognizance is required, any person may recognize in behalf of the claimant and shall be personally liable.

Complaint,
how made and
endorsed.

[Approved March 19, 1862.]

Chapter 141.

An act additional to chapter eighty-two of the revised statutes relating to demands in set-off.

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

Chap. 82, R. S.,
additional to.

SECT. 1. When two or more persons having joint or several demands against an estate which has been or shall be represented as insolvent, are jointly or severally sued by the administrator or executor of such estate, such joint or several demands may be filed in set-off by said defendants, or by either of them, as the case may be, at the first term of the court to which such action or actions shall be returnable, or at the first term after such representation of insolvency, if made after the commencement of such suit or suits or in suits now pending, at the first term after the passage of this act. And if upon trial a balance shall be found due to the defend-

Accounts in
set-off, when
may be filed.