

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:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1862.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1862.

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.