

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-FOURTH LEGISLATURE

OF THE

## STATE OF MAINE.

1865.

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

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AUGUSTA:  
STEVENS & SAYWARD, PRINTERS TO THE STATE.  
1865.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1865.

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**Chapter 299.****CHAP. 299.**

An act in addition to an act approved March nineteen, eighteen hundred and sixty-two, entitled "an act to regulate agencies for, and to prevent imposition in the sale of intoxicating liquors.

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

The commissioner provided for in the act approved March nineteen, eighteen hundred and sixty-two, entitled "an act to regulate agencies for and to prevent imposition in the sale of intoxicating liquors," may sell to duly authorized agents of cities and towns in other states under the same duties and penalties as are now provided for the regulation of sales to agents in this state.

Commissioner  
may sell to  
agents in other  
states.

Approved February 20, 1865.

**Chapter 300.**

An act to amend chapter one hundred and one of the revised statutes, entitled "writ for replevyng a person," and chapter one hundred and thirty-five of the revised statutes, entitled "sentence and its execution in criminal cases, and the liberation of poor convicts."

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

SECT. 1. Section third of chapter one hundred and one of the revised statutes, is hereby amended by inserting in the third line after the word "sheriff," the words, *or his deputy.*

R. S., chap.  
101, sec. 3,  
amended.

SECT. 2. Section ten of chapter one hundred and thirty-five of the revised statutes, is hereby amended by inserting between the word "to" and the word "and" in the seventh line, the following words:—*which oath may be administered by the sheriff, jailer or any justice of the peace or trial justice.*

R. S., chap.  
135, sec. 10,  
amended.

Approved February 20, 1865.

**Chapter 301.**

An act to amend chapter nine of the public laws of eighteen hundred and sixty-one, concerning the exemption of sewing machines from attachment and execution.

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

SECT. 1. Chapter nine of the public laws of eighteen hundred and sixty-one entitled "an act to exempt certain property from attachment and execution," is hereby amended by striking out the

Chap. 9 of  
public laws of  
1861, amended.

CHAP. 302.

Sewing machine not exceeding in value \$100, exempt from attachment.

word "fifty" in the third line, and substituting the words *one hundred*, therefor, so that said act when amended, shall read as follows:—*In addition to the property now exempted by law from attachment, sale or levy on execution, there shall be exempted one sewing machine of a value not exceeding one hundred dollars, held for actual use by any debtor, or the family of any debtor.*

SECT. 2. This act shall take effect on its approval.

Approved February 20, 1865.

**Chapter 302.**

An act to amend chapter two hundred and thirty-nine of the public laws of the year eighteen hundred and sixty-four.

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

Public laws of 1864, chap. 239, sec. 1, amended.

Counsel employed at expense of town.

SECT. 1. Section one of chapter two hundred and thirty-nine of the public laws passed in the year of our Lord one thousand eight hundred and sixty-four, is hereby amended by adding thereto the words following, viz:—*And if an action is brought against any town, on any claim mentioned in this act, any ten or more taxable inhabitants thereof, by leave of the court, may, at the expense of such town, employ counsel to defend it; and if judgment has heretofore been, or hereafter shall be, rendered in any such action, by default or otherwise, any ten or more taxable inhabitants of the defendant town, may petition the court for review of said action in the name of the town, and employ counsel at the expense of the town to prosecute said proceedings in review to final judgment.*

Sec. 2 amended.

When ten taxable inhabitants may commence suits.

SECT. 2. Section two of said chapter shall be amended by adding thereto the words following, viz:—*And when the proper authorities of any town refuse to institute any suit contemplated by this section, on demand by any ten taxable inhabitants thereof, the latter shall have the power to bring such suit in the name and at the expense of the town.*

When town officers have no authority.

SECT. 3. Town officers shall have no authority over any action or cause of action or proceeding in review commenced by virtue of this act.

SECT. 4. This act shall take effect upon its approval.

Approved February 20, 1865.