

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FORTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1868.

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

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1868.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1868.

CHAP. 164. For travel on any official duty, at the rate of twelve cents a mile one way.

And in all cases where the attendance of two or more justices is required, each of them shall be entitled to the fees prescribed for all services rendered by him personally.

Approved February 19, 1868.

Chapter 164.

An act relating to reviews in certain cases.

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

Review to be granted where justice has not been done.

SECT. 1. A review may be granted in any case wherein judgment has been, or hereafter shall be rendered, where it appears that justice has not been done, through fraud, accident, mistake or misfortune, and that a further hearing would be just and equitable ; *provided* a petition therefor is presented to the Court within six years after the rendition of judgment.

Proviso.

SECT. 2. This act shall take effect when approved.

Approved February 19, 1868.

Chapter 165.

An act to amend section one of chapter one hundred and five of the public laws of the year one thousand eight hundred and sixty-seven.

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

Public laws of 1867, chap. 105, sect. 1, amended.

SECT. 1. Section one of chapter one hundred and five of the public laws of the year one thousand eight hundred and sixty-seven is hereby amended by adding at the close of said section the following words, 'if in this state, but if the owner or owners reside out of this state, they shall be taxable as hereinbefore provided,' so that said section as amended shall read:—'The first division of section eleven of chapter six of the revised statutes is hereby amended so as to read as follows: All goods, wares and merchandise, all logs, timber, boards and other lumber, and all stock in trade, including stock employed in the business of any of the mechanic arts in any town within this state, other than where the owners reside, shall be taxed in such town, if the owners, their tenants, or any person contracting under them for the building of any house, shop, store or vessel, occupy any store, shop, mill,

Goods, wares, merchandise and lumber, where to be taxed.

‘ wharf or shipyard therein, for the purposes of such tenancy or contract, and shall not be taxable where the owner or owners reside, if in this state ; but if the owner or owners reside out of this state they shall be taxed as hereinbefore provided.’

CHAP. 166.

SECT. 2. This action shall take effect when approved.

Approved February 20, 1868.

Chapter 166.

An act to regulate the sale of lobsters by weight instead of count.

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

SECT. 1. Hereafter when lobsters are sold in quantities of more than twelve, they shall be sold by weight instead of count.

Lobsters to be sold by weight instead of count.

SECT. 2. If any person shall violate the provisions of this act, he shall forfeit for each offence the sum of five dollars, to be recovered by complaint on action of debt, one-half to the town where the offence is committed, and one-half to the person suing therefor.

Penalty for violation.

SECT. 3. This act shall take effect when approved.

Approved February 20, 1868.

Chapter 167.

An act to amend chapter one hundred and eleven of the revised statutes concerning frauds and perjuries.

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

SECT. 1. Section six of chapter one hundred and eleven of the revised statutes is amended so as to read as follows :

R. S., chap. 111, sect. 6, amended.

‘ SECT. 6. If a person who has contracted in writing to convey real estate, dies before making the conveyance, the other party may have a bill in equity in the supreme judicial court to enforce specific performance thereof against his heirs, devisees, executors or administrators, if commenced within three years after the grant of administration or the time when he is entitled to such conveyance, but not exceeding four years after the grant of administration ; *provided however*, that written notice of the existence of the contract be given to the executor or administrator within one year after the grant of administration.’

When specific performance of a contract to convey real estate may be enforced, and how.

Proviso.

SECT. 2. This act shall apply to past as well as future causes of action, and take effect on its approval.

Approved February 21, 1868.