

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## FORTY-SEVENTH LEGISLATURE

OF THE

## STATE OF MAINE.

1868.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1868.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1868.

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**Chapter 180.****CHAP. 180.**

An act to provide for the taxation of costs.

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

SECT. 1. In all actions now pending, or which may be hereafter commenced, in the supreme judicial court, in which a nonsuit or default shall be entered, a verdict rendered, or a report of referees accepted, either party shall, upon application to the court, have the costs recoverable in said action taxed by the clerk, and passed upon by the court before the adjournment of the term.

Taxation of costs in S. J. C.

SECT. 2. Either party who may be aggrieved by the allowance or disallowance of costs by the presiding judge, shall have the right to file exceptions thereto, said exceptions to be heard before the law court next held in the district in which said exceptions may be filed.

Exceptions to bill of cost allowed.

SECT. 3. If neither party shall request an adjudication upon the question of costs, at the term when the nonsuit, default, verdict, or acceptance of report of referees is entered, said hearing may be had after the adjournment of said court, before the clerk, and his decision shall be final.

Hearing before clerk after adjournment in certain cases, may be had.

SECT. 4. This act shall take effect when approved.

Approved February 28, 1868.

**Chapter 181.**

An act to protect the public lands and the rights of settlers.

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

SECT. 1. The actual settler who has purchased land of the state under the provisions of section twenty-five of chapter five of the revised statutes, is authorized to cut upon such land any timber or lumber he may actually need for building upon or fencing said land, and may cut any cedar upon the same for the immediate support of himself and family.

Settlers on state land allowed to cut timber, &c., for certain purposes.

SECT. 2. Any action now pending against any purchaser of lands for cutting as aforesaid shall be discontinued, without costs to either party.

Certain actions to be discontinued.

SECT. 3. The land agent is prohibited from hereafter issuing any permit for the cutting of timber or lumber upon any township or land set apart for settlement, except upon lots not suitable for settlement in the opinion of the land agent, and all permits given for cutting timber or lumber upon such lands, not expressly provided for by statute provision, are hereby revoked.

Limitation of permits on settling lands.

CHAP. 182.   SECT. 4. This act shall take effect within thirty days after its approval.

Approved February 28, 1868.

### Chapter 182.

An act additional to chapter ninety-one of the revised statutes, in relation to liens on goods in possession.

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

Lien on goods and baggage of boarders, &c., how enforced.

SECT. 1. Any inn-holder or keeper of a boarding house in this state, shall have a lien upon the goods and personal baggage of his guests or boarders to secure the payment of any money due from such guests or boarders, for board and lodging, and may enforce such lien by a sale of such goods and personal baggage, in the manner provided in sections twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty and thirty-one of chapter ninety-one of the revised statutes, relative to liens on goods in possession.

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

Approved February 28, 1868.

### Chapter 183.

An act to amend section thirty-nine of chapter one hundred and thirteen of the revised statutes, and explanatory of said chapter.

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

R. S., chap. 113, sect. 39, amended and explained.

SECT. 1. Section thirty-nine of chapter one hundred and thirteen of the revised statutes is hereby amended by adding to said section the following words: 'but nothing in this chapter shall be construed as exempting from distress for taxes any property of any name or description, except those implements, tools, and articles of furniture, which are by law exempt from attachment for debt, as named in section seventy-nine of chapter six of the revised statutes,' so that said section as amended shall read as follows:—  
'Any person arrested or imprisoned by virtue of a warrant for the collection of a public tax, or any constable, collector, or deputy sheriff, arrested or imprisoned for default in collecting taxes committed to him, shall have the privileges, and be subject to the obligations, of this chapter, as if arrested or imprisoned on execution

Persons arrested for taxes entitled to the privileges of chap. 113 R. S.