

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FORTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1869.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1869.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1869.

CHAP. 15

Chapter 15.

An act to amend chapter sixty-five of the revised statutes.

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

R. S., chap. 65, sect. 15, relating to allowance to minor children, amended.

The fifteenth section of chapter sixty-five of the revised statutes is amended by adding at the end thereof the words: 'and if there is a widow and such children by a former wife, the judge may at his discretion, divide such allowance among the widow and such children of a former wife.'

Approved February 8, 1869.

Chapter 16.

An act to amend an act approved February twenty-fourth, eighteen hundred sixty-eight, relating to soldiers' testimonials of honor.

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

Provisions of public law 1803, chap. 173, extended to sailors and marines.

SECT. 1. So much of an act approved February twenty-fourth, eighteen hundred sixty-eight, as refers to soldiers' testimonials, is hereby amended, so that the same shall read, 'to all honorably discharged soldiers, sailors and marines who served in the war of eighteen hundred sixty-one, and were credited on the quota of Maine.'

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

Approved February 12, 1869.

Chapter 17.

An act to amend the third specification of the eighth section of the seventy-seventh chapter of the revised statutes relating to the equity powers of the supreme judicial court.

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

R. S., chap. 77, sect. 8, relating to equity powers S. J. Court, amended.

The said statute is hereby amended by adding to the said specification the words, 'and to cancel and compel the discharge of written contracts, whether under seal or otherwise, when a full performance or payment shall have been made by the contracting party,' so that as amended the same shall read, 'third, to compel the specific performance of written contracts, and to cancel and compel the discharge of written contracts, whether under seal or

otherwise, when a full performance or payment shall have been made to the contracting party.'

Approved February 15, 1869.

Chapter 18.

An act to amend section four of chapter ninety-four of the revised statutes, relating to forcible entry and detainer, and providing that the complaint may be sworn to by an agent or attorney.

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

Section four of chapter ninety-four of the revised statutes is hereby amended by striking out all words after the word "appearance," in the seventh line, and inserting instead thereof the words 'the complaint may be made in the name of the claimant and be sworn to by himself or his agent or attorney, and if the claimant lives out of the state it must be indorsed 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,' so that the section as amended shall read as follows:

R. S., chap. 94, sect. 4, relating to complaint in case of forcible entry and detainer, amended.

'Sect. 4. On a written complaint sworn to, charging a forcible and unlawful entry or detainer of real estate as aforesaid, a summons may be issued to a proper officer, commanding the person complained of to appear and show cause why judgment should not be rendered against him, which shall be served like other writs of summons, seven days before the day for his appearance. The complaint may be made in the name of the claimant and be sworn to by himself or his agent or attorney, and if the claimant lives out of the state it must be indorsed 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 may be sworn to by agent or attorney

Approved February 15, 1869.

Chapter 19.

An act in relation to the state valuation.

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

SECT. 1. The assessors of each city, town and plantation in this state for the current year, shall at the time provided by law for that purpose, make a true and accurate list of all the male polls of twenty-one years of age and upwards, resident in or belonging to

Assessors to make lists of polls; also of taxable estates and fix cash value thereof.