

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1870.

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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:  
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.  
1870.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.  
1870.

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## CHAP. 162.

Right to challenge.

tickets in a box, and the names shall be drawn from the box by the clerk, after having been thoroughly mixed, one at a time, for the purpose of constituting a jury; and each party shall have a right peremptorily to challenge two jurors; but all peremptory or other challenges and objections to a juror drawn, if then known, shall be made and determined and the juror sworn or set aside before another name is drawn, and so on until the panel is completed. A new jury shall be thus drawn for the trial of each and every cause; and after the panel is thus completed the presiding justice shall appoint one of their number to be foreman for the trial of the case to be tried by that jury.

Act to take effect May 1, 1870.

SECT. 3. This act shall take effect on and after the first day of May, in the year of our Lord one thousand eight hundred and seventy.

Approved March 22, 1870.

### Chapter 162.

An act additional to "an act respecting actions against executors and administrators," approved February third, eighteen hundred and sixty-nine.

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

Public laws 1869, chap. 9, relating to actions against executors and administrators, limited.

SECT. 1. The act entitled "an act additional to chapter eighty-seven of the revised statutes," approved February third, eighteen hundred and sixty-nine, is hereby amended, by adding thereto the following words, to wit: 'This act shall not apply to any case where the executor or administrator resides out of this state at the time of the bringing of the action.'

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

Approved March 22, 1870.

### Chapter 163.

An act relating to injunctions.

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

Second arrest for contempt of court not ballable.

SECT. 1. Whenever a judge of the supreme judicial court shall order a writ of attachment to be issued against any person for contempt in refusing or neglecting to obey any decree, decision or order of said court or of any member thereof, returnable to the next term, and such person has been arrested and given bail

thereon, according to the rules of said court for practice in chancery, if such person shall afterwards, before the next term of the court, again violate the said decree, order or decision, a second writ of attachment may be issued, upon proper proceedings therefor, returnable to the next term, on which he shall not be bailable.

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

Approved March 22, 1870.

CHAP. 164.

### Chapter 164.

An act additional to chapter forty-six of the revised statutes, concerning corporations.

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

SECT. 1. Any corporation established by the laws of this state, at a legal meeting of its stockholders, may vote to change its name and adopt a new one; and when the proceedings of such meeting, certified by the clerk thereof, are returned to the office of the secretary of state to be recorded by him, the name shall be deemed changed, and the corporation under its new name, shall have the same rights, powers and privileges, and be subject to the same duties, obligations and liabilities as before, and may sue and be sued by its new name; but no action brought against it by its former name shall be defeated on that account, but on motion of either party, the new name may be substituted therefor in the action.

Corporations authorized to change their name.

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

Approved March 23, 1870.

### Chapter 165.

An act for the preservation of certain birds.

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

SECT. 1. Whoever takes, kills, destroys or pursues with the intent of killing, destroying or taking with dogs, guns, traps, nets, snares, pitfalls, or any other device or contrivance whatsoever, any of the birds commonly known as larks, robins, partridges, grouse, swallows, quail, woodcocks, sparrows or snipes, except between the first day of September and the first day of February, he shall forfeit for every such bird not less than five nor more than

Penalty for killing certain birds between September first and February first.