

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

331

OF THE

FIFTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1873.

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

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

1873.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.

1873.

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CHAP. 140. shall continue ninety days after the next term of the court in that county; and if the defendant was arrested on mesne process, and gave bond to disclose after judgment, he may do so after said next term without breach of his bond.

Approved February 26, 1873.

## Chapter 140.

An act relative to the equity powers of the supreme judicial court.

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

Jurisdiction of  
supreme judicial  
court to adjust  
matters in equity  
between parties.

SECT. 1. The supreme judicial court shall have jurisdiction in equity between partners or part owners, to adjust all matters of the partnership between such part owners, compel contribution, make final decrees, and enforce their decrees by proper process in all cases where all persons interested within the jurisdiction of the court are made parties, notwithstanding there may be other persons interested, not within the jurisdiction of the court, who are not made parties; but in such cases no decree shall affect the rights of any person not a party to the suit, unless such person shall voluntarily become a party before final decree, except as hereinafter provided.

Rights of certain  
persons not  
affected

Partners or  
co-tenants out of  
jurisdiction of  
court, rights, how  
protected.

SECT. 2. In all such cases, the court shall have jurisdiction, if the case requires it, over all property of the partnership or cotenancy within the state, and the other partners or cotenants, out of the jurisdiction, may protect their interest by coming in at any time as parties to the bill; but, if there is no such property within the state, the jurisdiction of the court shall be limited to the adjustment of accounts and compelling contribution between the parties over whom the court has jurisdiction.

Agents or officers  
restrained from  
paying out money  
without authority

SECT. 3. When any agent or officer of any county, city, town, school district, village corporation, or other public corporation, attempts to pay out the money of such county, city, town, school district, or other public corporation, without authority, the court may, upon the suit or petition of not less than ten taxable inhabitants thereof, briefly setting forth the cause of complaint, hear and determine the same in equity.

SECT. 4. This act shall not apply to pending cases.

Approved February 26, 1873.