

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1874.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1874.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1874.

CHAP. 209.

Chapter 209.

An act to amend section forty-nine of chapter eighty of the revised statutes, relating to sheriffs, officers and constables.

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

Sec. 49, ch. 80, R. S., amendment of.

Section forty-nine of chapter eighty of the revised statutes is hereby amended by inserting after the words "qualified officer," in the fourth line of said section, the following words : 'and if any officer aforesaid has made, in fact, any service, attachment or levy by virtue of any process placed in his hands for service, and who by reason of death, disqualification or other cause, has not made his return upon said process, a return upon said process shall be made by a sheriff, any deputy of his, or other proper officer, under the direction of a judge of the supreme judicial court, holden in and for the county where said writ is returnable, the facts to be set forth by said officer in said return, to be proven to the satisfaction of said judge,' so that said section as amended shall read as follows :

Execution of precepts commenced, when officer becomes disqualified.

'SECT. 49. If any officer aforesaid, who has commenced the service or execution of a precept, by death or otherwise becomes disqualified to complete it, it may be completed, with the same legal effect, by any other qualified officer ; and if any officer aforesaid has made, in fact, any service, attachment or levy, by virtue of any process placed in his hands for service, and who by reason of death, disqualification or other cause, has not made his return upon said process, a return upon said process shall be made by a sheriff, any deputy of his, or other proper officer, under the direction of a judge of the supreme judicial court, holden in and for the county where said writ is returnable, the facts to be set forth by said officer in said return, to be proven to the satisfaction of said judge ; or if a deputy sheriff dies after he has served and returned a precept, the sheriff, if alive, and if not, any deputy in commission at the time of such service, may be allowed by the court to amend such return the same as the officer who made it might, but the rights of third parties shall not be affected thereby.'

Returns, how made.

—may be amended.

Approved February 28, 1874.

Chapter 210.

An act for the better protection of lobsters in the waters of Maine.

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

Lobsters, the taking of, at

SECT. 1. No person shall catch, preserve, sell or expose for sale within the limits of the State of Maine, any lobsters between the