

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1880.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE & SON, PRINTERS TO THE STATE.
1880.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1880.

CHAP. 194 done by the clerk; the appointment may be made in writing as follows:

I hereby appoint —— to perform the duties of town clerk, as set forth in section two, of chapter ninety-one, of the revised statutes, in the town of ——, during my absence from the clerk's office. —— Clerk of the town of ——.

Said deputy shall be sworn to faithfully perform the duties of his office before he enters thereon.'

How property may be redeemed.

'SECT. 3. When the condition of a mortgage of personal property is broken, the mortgager, or any other person lawfully claiming under him, may redeem it any time before it is sold, by virtue of a contract between the parties, or on execution against the mortgager, or before the right of redemption is foreclosed, as hereinafter provided, by paying or tendering to the mortgager, or the person holding the mortgage by assignment thereof, recorded where the mortgage is recorded, the sum due thereon, or by performing, or offering to perform the conditions thereof, when not for the payment of money, with all reasonable charges incurred; and the property, if not immediately restored, may be replevied, or damages for withholding it recovered in an action of the case.'

Property may be replevied.

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

Approved March 4, 1880.

Chapter 194.

An act in relation to Defenses in Actions involving Contracts made on Sunday.

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

Defendant in action on contract made on Sunday must restore consideration received.

No person who receives any money, or valuable thing, as the consideration for a contract, express or implied, made and entered into on Sunday, shall be permitted to defend any action upon such contract on the ground that it was so made and entered into on Sunday, until he shall restore such consideration so received; *provided* that nothing herein contained shall apply to any action now pending.

Proviso.

Approved March 5, 1880.