

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

SENATE

NO. 211

In Senate, March 14, 1910.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent down for concurrence.

P. F. CRANE, Secretary.

Presented by Senator Gurney of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to Amend Section Three of Chapter Eighty-four of the Revised Statutes, Relating to Clerks of the Judicial Courts.

Be it enacted by the People of the State of Maine, as follows:

Section three of chapter eighty-four of the revised statutes is hereby amended by adding the following paragraph:

‘Proceeds of all sales of property made under the decree of the supreme judicial court and any and all other sums of money from whatever source derived in civil proceedings coming into the custody of the supreme judicial court shall be deposited in such depository as the court shall designate, and shall be withdrawn therefrom upon order

7 of the clerk of courts, countersigned by any justice of
8 the supreme judicial court in term time or vacation. The
9 court or any justice thereof in term time or vacation shall
10 designate some proper bank or trust company as the de-
11 pository for the funds hereinbefore referred to, and such
12 designation shall be minuted on the docket of the court.
13 At each regular term of court in each county, the pre-
14 siding justice shall verify the account kept with such de-
15 pository and shall cause to be minuted on the docket of
16 such court that he finds the same to be accurate and duly
17 vouchered. He shall affix his signature to such certifi-
18 cates on the docket. Clerks of courts in the several coun-
19 ties shall keep a regular book containing the account of
20 such funds showing the deposits and all accumulations
21 thereof, and the amounts withdrawn therefrom, specify-
22 ing the date of such withdrawal and the case to which
23 such matters relate. All deposits shall be in the name of
24 the court.' So that said section as amended shall read as
25 follows:

'Sect. 3. He shall keep a true and exact account of all
2 moneys which he receives, or is entitled to receive, for
3 services by virtue of his office, and shall pay the same to
4 the county treasurer for use of the county in the manner
5 required by law; all other moneys belonging to the county
6 shall be paid in thirty days after they are received by him;
7 and if, in either case he neglects to do so, he shall pay
8 twenty-five per cent. interest thereon until paid; and the

9 county treasurer shall notify the treasurer of state of
10 any such known delinquency, and the clerk's bond shall
11 then be sued. Proceeds of all sales of property made un-
12 der the decree of the supreme judicial court and any
13 and all other sums of money from whatever source de-
14 rived in civil proceedings coming into the custody of the
15 supreme judicial court shall be deposited in such deposi-
16 tory as the court shall designate, and shall be withdrawn
17 therefrom upon order of the clerk of courts, countersigned
18 by any justice of the supreme judicial court in term time
19 or vacation. The court or any justice thereof in term time
20 or vacation shall designate some proper bank or trust
21 company as the depository for the funds hereinbefore re-
22 ferred to, and such designation shall be minuted on the
23 docket of the court. At each regular term of court in
24 each county, the presiding justice shall verify the account
25 kept with such depository and shall cause to be minuted
26 on the dock of such court that he finds the same to be ac-
27 curate and duly vouchered. He shall affix his signature
28 to such certificates on the docket. Clerks of courts in
29 the several counties shall keep a regular book contain-
30 ing the account of such funds showing the deposits and
31 all accumulations thereof, and the amounts withdrawn
32 therefrom, specifying the date of such withdrawal and
33 the case to which such matters relate. All deposits shall
34 be in the name of the court.'