

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1885.

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

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1885.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1885.

Chapter 325.

An Act relating to the appointment of Administrators, in cases where wills have been destroyed or lost, in estates interested in French Spoliation Claims.

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

In all cases of claims against the United States arising out of French Spoliations, in those counties where the records of the probate court relating to the estate of any claimant have been lost or destroyed and have not been restored, the judge of probate having jurisdiction may, on petition and after public notice and hearing, appoint a special administrator upon the estate of any original claimant, deceased testator or intestate, who may prosecute such claim against the United States as aforesaid, for the benefit of such estate, and at any time after six months from the date of his giving notice of his appointment and after public notice and order of distribution, may distribute said estate to those determined by the court to be entitled thereto ; but no such distribution shall be disturbed by reason of any debt or claim afterwards filed against said estate. Such special administrators shall give such a bond as the judge may determine. But nothing herein contained shall prevent the appointment of an administrator under the general law.

Special administrators may be appointed upon estate of original claimant prosecuting claims against the United States, arising out of French spoliations.

—bond of.

Act not to prevent appointment under general law.

Approved March 4, 1885.

Chapter 326.

An Act to amend section forty-six of chapter seventy of the Revised Statutes, relating to discharges under the Insolvent Law.

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

SECT. 1. Section forty-six of chapter seventy of the revised statutes, is hereby amended by striking out the words "a cash book and other" in the nineteenth line, so that said section when amended shall read as follows :

Sec 46, ch. 70, R. S., amended.

SECT. 46. A discharge shall not be granted, or if granted be valid, if the debtor has sworn falsely, or if he has concealed any property, books or papers relating to his estate and business, or if, having reasonable cause to believe himself

Discharge shall not be granted, or if granted, is not valid in cases of fraud.

CHAP. 327

insolvent, or being in contemplation of insolvency, he has within four months of the issuing of the warrant, paid or secured, directly or indirectly, in whole or in part, any borrowed money or pre-existing debt, or any liability of his or for him, or if he has caused his effects to be attached, or if he has destroyed, altered, mutilated or falsified any of his books, documents, papers, writings or securities, or has made or been privy to the making of any false or fraudulent entry in any book of account or other document, with intent to defraud his creditors, or give a preference contrary to this chapter, or has removed, or allowed to be removed, any property with a like intent, or has made any fraudulent payment, gift, transfer, conveyance or assignment of any part of his property, or if, having knowledge that any person has proved a false debt against his estate, he has not disclosed the same to the assignee within thirty days after such knowledge, or if, being a merchant or trader, he has not since March twenty-three, eighteen hundred and seventy-eight, kept proper books of account. And the discharge is null and void, if the debtor, or any person in his behalf, has procured the assent of any creditor thereto, by any pecuniary consideration or promise of any future preference.'

—null and void,
if assent of
creditor is pur-
chased.

SECT. 2. This act shall not apply to pending proceedings.

Approved March 4, 1885.

Chapter 327.

An Act to provide for the appointment of Stenographers as Commissioners to take depositions and disclosures of Trustees.

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

SECT. 1. The governor, with the advice and consent of the council, may, upon the written recommendation of any judge of the supreme judicial court, appoint competent stenographers of either sex, as commissioners to take depositions in all cases and disclosures of trustees.

Appointment of
stenographers as
commissioners to
take depositions.

SECT. 2. Such commissioners shall qualify by taking the usual oath of office. They may act throughout the state, and shall hold office for four years, and shall pay the same fees

—qualification.

—tenure.