

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

Published by the Secretary of State.

AUGUSTA

KENNEBEC JOURNAL PRINT

1915

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

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sealed, or the bodies to be removed and buried, may be issued under the direction of any justice of the Supreme Judicial court, or the Superior courts, in term or vacation time. CHAP. 95

Section 5. The Supreme Judicial courts and the Superior courts shall have original and concurrent jurisdiction, in all cases under the provisions hereof, provided that the judges of municipal and police courts and trial justices may cause the persons brought before them on complaint under the provisions of this act to recognize with sufficient sureties to appear before the Supreme Judicial courts, or Superior courts, and, in default thereof, shall commit them. —court jurisdiction.

Approved March 15, 1915.

Chapter 95.

An Act to Amend Sections Nineteen and Twenty of Chapter Sixty-five of the Revised Statutes, Relating to the Bond and Records of the Registers of Probate.

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

Section 1. Section nineteen of chapter sixty-five of the Revised Statutes, as amended by chapter one hundred nineteen of the Public Laws of nineteen hundred thirteen, is hereby amended by striking out in the eighth, ninth and tenth lines of said section as amended, the words, "not less than one hundred, nor more than one thousand dollars, at the discretion of the judge, who shall certify his approval thereon;" and by inserting in place thereof the words, 'the sum of one thousand dollars,' and by inserting after the word "allowed" in the twenty-first line of said section the words, 'all petitions for distribution and decrees thereon, and all petitions, decrees and licenses relating to the sale, exchange, lease or mortgage of real estate, and all petitions and decrees relating to adoption and change of name,' so that said section nineteen as amended shall read as follows:

'Section 19. Registers of probate are elected or appointed as provided in the Constitution. Their election is effected and determined as is provided respecting county commissioners by chapter eighty, and they enter upon the discharge of their duties on the first day of January following; but the term of those appointed to fill vacancies commences immediately. All registers, before acting, shall give bond to the treasurer of their county with sufficient sureties, in the sum of one thousand dollars; and every register, having executed such bond, shall file it in the office of the clerk of the county commissioners of

Ch. 65, Sec. 19, R. S., as amended by Ch. 119, P. L., 1913, further amended.

Registers of probate, how elected.

—time of commencing duties.

—bond, how approved.

CHAP. 95

—clerk shall record bond.

—duties set forth.

—shall keep a docket and make entries of each motion.

—may audit accounts, when requested by judge.

Ch. 65, Sec. 20, R. S., amended.

—condition of bond.

—forfeiture of bond disqualifies register from holding office.

his county, to be presented to them at their next meeting for approval, and after the bond has been so approved, the clerk shall record it and certify the fact thereon, and retaining a copy thereof, deliver the original to the register, who shall deliver it to the treasurer of the county, within ten days after its approval, to be filed in his office; they have the care and custody of all files, papers and books, belonging to the probate office; and shall duly record all wills proved, letters of administration or guardianship granted, bonds approved, accounts allowed, all petitions for distribution and decrees thereon, and all petitions, decrees and licenses relating to the sale, exchange, lease or mortgage of real estate, and all petitions, and decrees relating to adoption and change of name, and such orders and decrees of the judge, and other matters, as he directs. They shall keep a docket of all probate cases, and shall, under the appropriate heading of each case, make entries of each motion, order, decree and proceeding, so that at all times the docket shall show the exact condition of each case, and they may act as auditors of accounts when requested so to do by the judges of probate and their decisions shall be final unless appeal is taken in the same manner as other probate appeals.'

Section 2. Section twenty of chapter sixty-five of the Revised Statutes is hereby amended by inserting after the words "shall be" in the first line of said section, the following words, 'to account according to law for all fees received by him or payable to him by virtue of his office and to pay the same to the county treasurer quarterly, as provided by law,' so that said section twenty as amended shall read as follows:

'Section 20. The condition of such bond shall be to account according to law for all fees received by him or payable to him by virtue of his office and to pay the same to the county treasurer quarterly, as provided by law; for keeping up, seasonably and in good order, the records of the court; making and keeping correct and convenient alphabets of the records, and for the faithful discharge of all other duties of the office; and, if such register forfeits his bond, he is thenceforth disqualified from holding said office, and neglect to complete his records for more than six months at any one time, sickness or extraordinary casualty excepted, shall be adjudged a forfeiture.'