

MAINE STATE LEGISLATURE

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FOURTH REVISION.

THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED AUGUST 29, 1883, AND TAKING EFFECT JANUARY 1, 1884.

BY THE AUTHORITY OF THE LEGISLATURE.



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CHAP. 108. specific demand need be annexed to the agreement; but if a specific demand only is submitted, it shall be annexed to the agreement and signed by the party making it, and be so stated as to be readily understood. (a)

of all demands, and of a specific demand.
R.S., c. 108, § 2.

All referees must hear; but majority may decide; may allow costs or not; may swear witnesses.
R.S., c. 108, § 3.

SEC. 3. All the referees must meet and hear the parties; but a majority may make the report, which shall be as valid as if signed by all, if it appears by the report, or certificate of the dissenting referee that all attended and heard the parties. They may allow costs or not to either party unless special provision is made therefor in the submission, but the court may reduce their compensation; and any referee may swear witnesses. (b)

Report, how and when to be returned.
R.S., c. 108, § 4.

SEC. 4. The report shall be made to the court and within the time specified in the submission; one of the referees shall deliver it into court, or it shall be sealed up and sent sealed to the court, and be opened by the clerk. (c)

Court may accept, reject, or recommit.
R.S., c. 108, § 5.
—exceptions;
—new hearing;
—judgment on report;
writ of error to reverse it.

SEC. 5. The court may accept, reject, or recommit the report, and either party may file exceptions thereto; if recommitted, the referees shall notify the parties of the time and place for a new hearing; when the report is accepted, judgment shall be entered thereon as in case of submissions by rule of court; and either party may bring a writ of error to reverse such judgment. (d)

CHAPTER 109.

TIMBER AND CORD WOOD; HOW IT MAY BE DISPOSED OF IN CERTAIN CASES.

- SEC. 1. On application of owners of certain interests in woodlands, the supreme court, after a hearing, may grant leave to sell the wood.
2. Commissioners shall be appointed therefor, who shall give bond.
 3. Proceeds, how to be invested; appropriation of income.
 4. Court may appoint trustees of such proceeds, who shall give bond.

On application of the owners of certain interests in woodlands, court may grant leave to sell wood.
R.S., c. 109, § 1.

SEC. 1. Any person seized of a freehold estate, or of a remainder or reversion in fee simple, or fee tail, in a tract of woodland or timber land, on which the trees are of a growth and age fit to be cut, may apply to the supreme judicial court in any county for leave to cut and dispose of such trees, and invest the proceeds for the use of the persons interested therein; and the court, after due notice to all persons inter-

(a) 9 Me., 15; 22 Me., 241; 30 Me., 114; 35 Me., 358; 45 Me., 375; 55 Me., 246; 68 Me., 324.

(b) 1 Me., 66; 30 Me., 553; 35 Me., 284; 50 Me., 65.

(c) 36 Me., 595; 37 Me., 505; 59 Me., 285; 60 Me., 102.

(d) 6 Me., 25; 8 Me., 290; 23 Me., 437; 27 Me., 128; 29 Me., 70; 31 Me., 41, 116; 32 Me., 79; 36 Me., 109; 37 Me., 506; 40 Me., 196; 41 Me., 409, 511; 51 Me., 31; 55 Me., 537; 56 Me., 145; 59 Me., 285.

ested, and a hearing of the parties, if any appear, may appoint one or more persons to examine the land and report to the court, and the court may thereupon order the whole or a part of such trees to be cut and sold, and the proceeds brought into court, subject to further orders.

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SEC. 2. The court shall appoint one or more commissioners to superintend the cutting and sale of such trees, who shall account for the proceeds to the court, and be under bond to the clerk for the faithful performance of their trust.

Appointment of commissioners.
R.S., c. 109, § 2.

SEC. 3. The court may cause the net proceeds of sale to be invested in other real estate in the state, or in public stocks, to the same uses and under the same limitations as the land; the income thereof to be paid to the persons entitled to the income of the land, or apportioned among the persons interested in the estate, according to their interests.

Proceeds, how to be invested; income, how to be appropriated.
R.S., c. 109, § 3.

SEC. 4. The court may appoint one or more trustees, removable at its pleasure, to hold such estates or stocks for said uses, who shall give bond, with sufficient sureties, to said clerk, for the faithful discharge of their duty.

Court may appoint trustees of such funds.—bond.
R.S., c. 109, § 4.

CHAPTER 110.

COMMISSIONERS TO TAKE ACKNOWLEDGMENT OF DEEDS AND OTHER CONTRACTS, AND DEPOSITIONS IN OTHER STATES.

- SEC. 1. Appointment of commissioners; their power to authenticate deeds.
2. Legal effect of their official acts and certificates.
3. May administer oaths, and take depositions.
4. Qualification and seal.

SEC. 1. The governor may appoint one or more commissioners in any other of the United States, and in any foreign country, who shall continue in office during his pleasure; and have authority to take the acknowledgment and proof of the execution of any deed, other conveyance, or lease of lands lying in this state; and of any contract, letter of attorney, or any other writ, under seal or not, to be used or recorded in this state.

Appointment of commissioners; their power to authenticate deeds.
R.S., c. 110, § 1.
72 Me., 548.

SEC. 2. Such acknowledgment or proof, taken according to the laws of this state, and certified by any such commissioner under his seal of office, annexed to or indorsed on such instrument, shall have the same force and effect, as if done by an officer authorized to perform such acts within this state.

Legal effects of their official acts.
R.S., c. 110, § 2.

SEC. 3. Every commissioner thus appointed may administer any oath, lawfully required in this state, to any person willing to take it; and take and duly certify all depositions, to be used in any of the courts in this state, in conformity to the laws thereof, on interrogatories proposed under commission from a court of this state, by consent of parties,

May administer oaths and take depositions.
R.S., c. 110, § 3.