

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.



PORTLAND:
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1884.

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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.

CHAP. 109.

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.

CHAP. 110. or on legal notice given to the opposite party; and all such acts shall be as valid as if done and certified, according to law, by a magistrate in this state.

Qualification
and seal.
R.S., c. 110, § 4.

SEC. 4. Every such commissioner, before performing any duty or exercising any power in virtue of his appointment, shall take and subscribe an oath or affirmation, before a judge or clerk of one of the superior courts of the state or country in which he resides, well and faithfully to execute and perform all his official duties under the laws of Maine; which oath, and a description of his seal of office, shall be filed in the office of the secretary of this state.

CHAPTER 111.

PREVENTION OF FRAUDS AND PERJURIES IN CONTRACTS, AND ACTIONS FOUNDED THEREON.

- SEC. 1. Cases in which promises must be in writing, but the consideration need not be expressed therein.
2. No action can be maintained on a contract made by a minor, unless it is ratified after becoming of age.
 3. Representation of another's ability or character, must be in writing.
 4. What contracts for sale of goods must be in writing.
 5. Agreement that goods sold and delivered, and for which a note is taken, shall remain the payee's, is void, except as between the parties, unless in the note and recorded; clerk's fees for recording.
 6. Assignment of wages must be recorded by town clerk. His fee.
 7. Accounts against the State, counties, cities, towns, or village corporations, must be sworn to, if required.
 8. When specific performance of a contract to convey real estate may be enforced by bill in equity, after death of contractor.
 9. What decree shall be made; the conveyance shall be good.
 10. Enforcement of the decree by writ of seizin.
 11. Provision in case of the death of the obligee before conveyance.
 12. Administrator of contractor may petition for authority to convey.

Cases in
which prom-
ises must be
in writing;
but the con-
sideration
need not be
expressed
therein.
R.S., c. 111, § 1.

SEC. 1. No action shall be maintained in any of the following cases:—

I.—To charge an executor or administrator upon any special promise to answer damages out of his own estate;

II.—To charge any person upon any special promise to answer for the debt, default, or misdoings of another; (a)

III.—To charge any person upon an agreement made in consideration of marriage;

IV.—Upon any contract for the sale of lands, tenements, or hereditaments, or of any interest in or concerning them; (b)

(a) 7 Me., 360; 21 Me., 412, 550; 22 Me., 397; 26 Me., 349; 36 Me., 114; 41 Me., 559; 46 Me., 143; 58 Me., 442; 62 Me., 245; 69 Me., 101, 154; 74 Me., 505.

(b) 12 Me., 509; 15 Me., 16, 63, 203; 16 Me., 214; 18 Me., 18; 22 Me., 397; 23 Me., 134; 35 Me., 220; 38 Me., 240; 41 Me., 301; 48 Me., 345; 53 Me., 147, 394; 54 Me., 199, 407; 55 Me., 106; 63 Me., 584; 64 Me., 193; 68 Me., 374; 70 Me., 31; 71 Me., 484, 532.