

MAINE STATE LEGISLATURE

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Sixty-Eighth Legislature.

SENATE.

No. 145.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-SEVEN

AN ACT to provide for filling Vacancies of Trustees.

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

Section 1. Whenever vacancies shall occur by the death
2 or resignation of any or all of the trustees named in any
3 deed of trust or mortgage, and from any cause such vacancy
4 cannot be filled by appointment by the surviving trustee
5 or trustees named therein, or such trustees neglect or refuse
6 to make such appointment, the supreme judicial court, or
7 any judge thereof, in term time or vacation, on the petition
8 of any party interested in said trust, and upon such notice
9 to all persons interested by publication or otherwise as the
10 court shall order, and after hearing thereon, may appoint

11 a trustee or trustees to fill such vacancy or vacancies, and
12 upon and by virtue of said appointment the property
13 described in said deed of trust or mortgage held by said
14 trustees at the time of such decease or resignation shall vest
15 in said trustees so appointed without further conveyance
16 thereof, whether said trustees have deceased before this act
17 takes effect or otherwise, and they shall have the rights and
18 powers and be subject to the duties relating to such trust
19 to the same extent and for the same purposes as the same
20 were held by the original trustees in said trust; and the
21 decree making such appointment shall confirm the transfer
22 of title as hereinbefore provided and shall be recorded as
23 the original trust deed was recorded. The heirs at law and
24 personal representatives of any deceased trustee shall not
25 be necessary as parties to said petition nor any proceedings
26 thereunder, but may appear and be heard in relation to the
27 matters therein contained, and such notice of said petition
28 and hearing shall be given them by publication or otherwise
29 as the court may order.

Sect. 2. This act shall take effect when approved.



STATE OF MAINE.

IN SENATE, March 10, 1897.

Reported by Mr. SAVAGE, from Committee on the Judiciary, and
laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*