

MAINE STATE LEGISLATURE

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EIGHTY-THIRD LEGISLATURE

Senate Document

No. 23

H. P. 22

In Senate, Jan. 27, 1927.

Pursuant to Senate Order, introduced by Senator Morrison of Franklin, ordered that 500 copies of House Paper No. 22 be printed.

ROYDEN V. BROWN, Secretary.

Presented by Mr. Berry of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-SEVEN

AN ACT to Allow Amendment of Reasons of Appeal in
Probate Cases.

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

R. S. c. 67, sec. 32; relating to probate appeals, bonds,
2 reasons of appeal and service thereof, amended.

Section thirty-two of chapter sixty-seven of the revised
2 statutes is hereby amended by inserting after the word
3 "appeal" in the ninth line the following: 'which may be
4 amended as the court may order,' so that said section as
5 amended shall read as follows:

'Sect. 32. Appellant to file bond and reasons of appeal;
2 service on other parties; service on attorney of record of

3 a non-resident sufficient. Within the time limited for claim-
4 ing an appeal, the appellant shall file, in the probate office,
5 his bond to the adverse party, for such sum and with
6 such sureties, as the judge approves; conditioned to prose-
7 cute his appeal with effect, and to pay all intervening costs
8 and damages, and such costs as the supreme court taxes
9 against him, and he shall also file in the probate office the
10 reasons of appeal, which may be amended as the court may
11 order; and, fourteen days at least before the sitting of the
12 appellate court, he shall serve all the other parties, who
13 appeared before the judge of probate in the case, with a
14 copy of such reasons, attested by the register. When a
15 non-resident party appears by an attorney residing in this
16 state before the judge of probate in any case, and an appeal
17 is taken, the service of a copy of the reasons of appeal
18 upon such attorney shall be sufficient. In case of contro-
19 versy between a person under guardianship and his guardian,
20 the supreme court may sustain an appeal on the part of the
21 ward without such bond.'