

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1852.

Published by the Secretary of State, agreeably to resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

Augusta:
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1852.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1852.

Chapter 225.

An act repealing an act entitled "an act relating to sheriffs, deputy sheriffs, constables and coroners."

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

An act entitled "an act relating to sheriffs, deputy sheriffs, constables and coroners," approved March twenty-fourth, in the year of our Lord one thousand eight hundred and forty-three, is hereby repealed. This act to take effect from and after the approval of the governor.

Act relating to fees of sheriffs, &c., repealed.

[Approved February 14, 1852.]

Chapter 226.

An act to amend chapter one hundred and nine of the revised statutes.

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

SECT. 1. The thirty-fourth section of chapter one hundred and nine of the revised statutes, is hereby amended, by striking out all of said section, after the words "to be" in the seventh line, and inserting the following words, viz: sold in manner prescribed in the twenty-eighth section of chapter one hundred and six, and assigned to the purchaser thereof, with authority to collect the same in the name of the administrator, reserving to such persons liable, their equitable right of set off, and the purchaser giving to the administrator such indemnity against cost, as the judge may require, so that said section, as amended, shall read as follows :

Ch. 109, sec. 34, R. S., amended.

SECT. 34. Whenever an administrator in his said capacity holds notes, accounts, or other demands of the deceased, which in the opinion of the judge, with due diligence on the part of the administrator, are not available as assets, beyond the probable expenses of collection, on account of the poverty of the persons liable, or of the disputable nature of the demands, the judge may order the same to be sold in manner prescribed in the twenty-eighth section of chapter one hundred and six, and assigned to the purchaser thereof, with authority to collect the same in the name of the administrator, reserving to such persons liable, their equitable right of set off, and the purchaser giving to the administrator such indemnity against costs, as the judge may require.

Disposal of unavailable debts.