

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1876.

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

AUGUSTA:
SPRAGUE, OWEN & NASII, PRINTERS TO THE STATE.
1876.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1876.

Chapter 72.**CHAP. 72.**

An act to amend section eighteen of chapter eighty-eight of the Revised Statutes, relating to Partition of Real Estate.

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

SECT. 1. Section eighteen of chapter eighty-eight of the revised statutes, is hereby amended so that it shall read as follows : ‘ An account of all the charges and expenses attending the partition, shall, on request of any petitioner, be presented to the court, and the presiding judge shall determine, after giving notice to all concerned, the equitable proportion thereof to be paid by the several owners in the lands of which partition has been made, and execution therefor may be issued against any owner neglecting to pay.’

Sec. 18, ch. 88,
R. S., amended.

Partition of real
estate, expenses
of, how paid.

SECT. 2. This act shall not apply to the taxation of costs and payment of expenses in any petition for partition now pending.

This act not to
apply to cases
pending.

SECT. 3. This act shall take effect when approved.

Approved February 9, 1876.

Chapter 73.

An act to amend section three of chapter seventy of the Revised Statutes, in relation to the time in which Assignees shall file an inventory in Probate Court.

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

Section three of chapter seventy of the revised statutes is hereby amended by striking out the word “ ten,” in the fourth line of said section, and inserting in the place thereof the word ‘ twenty,’ so that said section, as amended, shall read as follows :

Sec. 3, ch. 70, R.
S., amended.

‘ SECT. 3. The assignee named in such assignment shall give a bond to the judge of probate, in such sum and with such sureties, living in the county, as shall be satisfactory to him, and shall immediately thereafter take possession of the property assigned, and within twenty days after the execution of the assignment, shall file in the probate office an attested copy thereof, and an inventory, under oath, of all the real estate, goods, chattels, rights and credits of the assignor, which have come to his possession or knowledge, whether contained in the assignment or not. Said bond shall be conditioned as follows :

Bond of assignees
to be given.

First. To return into the probate office within ten days after the time allowed to creditors to become parties to the assignment, an inventory of any real or personal estate of the assignor, not already returned, whether contained in the assignment or not, and

—conditions of.

CHAP. 74. the names of all creditors who have become parties to the assignment, with a list of their respective claims.

Second. To make proportional distribution of all the net proceeds of such estate among such creditors as become parties to the assignment.

Third. To render a true account of his doings, on oath, to the judge of probate, within six months, and at any other time when cited by the judge.

Approved February 9, 1876.

Chapter 74.

An Act to amend "An Act to amend sections sixty-three and sixty-four of chapter forty-nine of the Revised Statutes, relating to Foreign Insurance Companies."

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

Section sixty-three of chapter forty-nine of the revised statutes, as amended by chapter two hundred and twenty-six of the public laws of the year one thousand eight hundred and seventy-four, is hereby further amended by striking out the words "by the officer holding the execution," in the thirteenth and fourteenth lines of said section, so that said section, as amended, shall read as follows:

'SECT. 63. Any person having a claim against any foreign insurance company, may bring a suit therefor in the courts in this state, including trustee suits. And service made on any authorized agent of said company shall be valid and binding on the company, and hold it to answer to such suit. And the judgment rendered therein shall bind the company as a valid judgment in every respect, whether the defendants appear or not. In case no agent of such company can be found, such notice or service, served on the state insurance commissioner, who shall immediately notify said insurance company, by mail, shall be valid and binding on the company, as though served on their agent. Unless any such judgment is paid within thirty days after demand made upon any such agent or insurance commissioner, the commissioner may, on notice and hearing of the parties, suspend the power of the company to do business in this state until it is paid. And if the company, or any agent thereof, issues any policy in this state during such suspension, said company and agent shall each forfeit not exceeding one hundred dollars; but any policy so issued shall be binding on the company in favor of the holder.'

Ch. 226, public laws 1874, amended.

Suits against foreign insurance companies, where brought.

Service on agent valid against company.

Judgment shall bind company.

In case no agent be found, service, how made.

Company suspended from doing business unless judgment be paid in thirty days.

—penalty for violation.

Approved February 9, 1876.