

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1876.

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

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AUGUSTA:  
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1876.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1876.

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**Chapter 87.**

**CHAP. 87.**

An act to amend section forty-six of chapter three of the Revised Statutes, relating to Plantations.

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

Section forty-six of chapter three of the revised statutes is hereby amended by striking out the words "and fifty," in the sixth line thereof, so that the same, as amended, shall read as follows :

Sec. 46, ch. 3, R. S., amended.

'The county commissioners of the counties containing unincorporated townships, shall, at the expiration of every period of five years from March, in the year of our Lord one thousand eight hundred and sixty-one, determine from the United States census, when taken the preceding year, and by actual enumeration when not so taken, what townships have not less than two hundred inhabitants, and make a suitable description and designation thereof, and return them to the secretary of state, to be by him recorded.'

Census of unincorporated townships, duty of county commissioners respecting.

—to be recorded by secretary of state.

Approved February 15, 1876.

**Chapter 88.**

An act to repeal section twelve of chapter twelve of the Revised Statutes, relating to Parishes.

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

SECT. 1. That the twelfth section of chapter twelve of the revised statutes, is hereby repealed.

Appropriation of new rent.

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

Approved February 15, 1876.

**Chapter 89.**

An act additional to chapter seventy of the Revised Statutes, relating to assignments for the benefit of creditors.

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

SECT. 1. The judge of probate within the county in which the assignor resides, shall have the same power and jurisdiction over the doings and accounts rendered of the assignee, that he has over the doings and accounts of executors and administrators.

Judge of probate, power over assignments.

## CHAP. 89.

Judge of probate may cite the assignor to appear before him for examination.

SECT. 2. The judge of probate, upon application by the assignee or any creditor who becomes a party to the assignment, may cite the assignor to appear before him, for an examination, on oath, upon all matters relating to the disposal or condition of his property, to his dealings with others, to his accounts concerning the same, to his liabilities and the consideration therefor, and to all other matters pertaining to his property and estate, and may require him to produce for the inspection of the court and parties, all books, papers or other documents within his control relating to his business affairs.

—may cite any person before him suspected of embezzlement of the property of the assignor.

SECT. 3. The judge of probate may in like manner cite before him for examination, on oath, any person suspected of having concealed, withheld, embezzled or conveyed away any goods, effects or credits of the assignor, or which passed or ought to have passed by the assignment, or of aiding others in so doing, and may require such suspected person to produce for the inspection of the court and parties all books, papers or other documents within his control, relating to the matter under examination.

Penalty if any person duly cited refuse to appear.

SECT. 4. If any person duly cited, as aforesaid, refuses to appear and submit himself to such examination, or to answer all lawful interrogatories, or to produce such books, papers or documents, the judge shall commit him to the jail of the county, there to remain until he submits to the order of the court, or is discharged by the applicant or the supreme judicial court; and he shall also be liable to any injured party, in an action on the case, for all the damages, expenses and charges arising from such refusal.

—in case of fraud on part of the assignor.

SECT. 5. If the assignor shall have fraudulently conveyed or transferred any of his property in contemplation of the assignment, or to defraud his creditors, or shall have fraudulently concealed, withheld or kept from his assignee any property which said assignee may be entitled to hold under the assignment, said assignor shall forfeit all rights under any release in said assignment.

SECT. 6. This act shall take effect when approved.

Approved February 16, 1876.