

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1878.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1878.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1878.

SECT. 2. No criminal business shall be transacted at any of the terms of the supreme judicial court held within and for said county of Kennebec, after the next October term thereof.

SECT. 3. This act shall take effect September first, eighteen hundred and seventy-eight.

Approved February 6, 1878.

CHAP. 13.

No criminal business to be transacted in said court after next October term.
Act to take effect Sept. 1, 1878.

Chapter 13.

An act in relation to Disorganized Towns.

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

SECT. 1. In all cases where towns are or may be disorganized by a repeal of their organic charter, and their debts and liabilities are excepted and reserved by the provisions of the act repealing the same, legal service of processes to collect such debts and liabilities may be made on any inhabitant of lawful age resident of the territory included in said disorganized town, in same manner as provided for service of such process against towns; *provided*, there are no legal officers in said territory on which legal service can be made.

Debts and liabilities of disorganized towns, collectable by service of process on inhabitant.

—proviso.

SECT. 2. This act shall apply to school districts in said disorganized towns so far as the same is applicable.

Act may apply to school districts.

Approved February 6, 1878.

Chapter 14.

An act to amend section thirty-two of chapter sixty-five of the Revised Statutes, granting to Guardians and Trustees power to assign mortgages and mortgage debts.

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

Section thirty-two of chapter sixty-five of the revised statutes is amended by inserting in the first line, after "administrator," the words 'guardian or trustee,' so that said section shall read as follows :

Sec. 32, ch. 65, R. S., amended.

'SECT. 32. Real estate held by an executor or administrator, guardian or trustee in mortgage, or taken on execution, until the right of redemption has expired, shall

Real estate held in mortgage or taken on execution, before right

CHAP. 15.

of redemption has expired, shall be treated as personal estate.

be deemed personal assets, and held in trust for the persons who would be entitled to the money if paid; and if it is paid, he shall release the estate; but if it is not paid, he may sell it as he could personal estate at common law, and assign the mortgage and debt; and the purchaser shall have the same rights and liabilities as the purchaser of personal property, sold by license of the probate court. All sales so made heretofore shall be valid.'

Approved February 6, 1878.

Chapter 15.

An act to amend chapter seventy-six of the Revised Statutes, relating to Levy of Executions upon estates held in joint tenancy or in common.

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

Estate held in joint tenancy may be taken on execution.

SECT. 1. The whole or part of an estate held in joint tenancy or in common, may be taken to satisfy an execution, in the same manner as other real estate is now taken, and held in common, but the whole estate must be described, and the share of it owned by the debtor must be stated.

Sec. 7, ch. 76, R. S., amended.

SECT. 2. Section seven of chapter seventy-six of the revised statutes is hereby amended by striking out of the second and third lines the words "joint tenancy or in common," so that said section, as amended, shall read as follows, viz:

Debtor's estate or interest shall pass by levy unless larger than stated in return.

'SECT. 7. All the debtor's estate, interest or share in the premises, whether held in tail, reversion, remainder, for life, years or otherwise, shall pass by a levy, unless it is larger than the estate mentioned in the appraisers' return.'

Approved February 7, 1878.