

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1891.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1891.

injured by the non-performance of the conditions thereof by CHAP. 45
the other.'

Approved March 4, 1891.

Chapter 45.

An Act in addition to chapter twenty-seven, chapter seventeen, section twenty-three of chapter one hundred and thirty-three, and section one, chapter one hundred and thirty-five of the Revised Statutes, with amendments thereto, relating to Intoxicating Liquors.

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

All of the provisions of chapter twenty-seven, chapter seventeen, section twenty-three of chapter one hundred and thirty-three, and section one of chapter one hundred and thirty-five of the revised statutes, with all amendments thereof, and all additions thereto, so far as they relate to intoxicating liquors, are hereby made to apply to all intoxicating liquor imported in the original package.

All provisions of law relating to the sale of intoxicating liquors, made to apply to liquors imported in the original package.

Approved March 4, 1891.

Chapter 46.

An Act to amend section sixty-four of chapter seventy of the Revised Statutes, relating to Insolvency Proceedings.

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

Section sixty-four of chapter seventy of the revised statutes is hereby amended, so that it shall read as follows :

‘SECT. 64. Any person whose debts do not amount to three hundred dollars, may at any time assign, convey and deliver to the register of the probate court of the county within which he resides, all of his real and personal estate, rights and credits not exempt from attachment and seizure on execution, together with a schedule of the same, signed by such debtor, and a list of all his creditors, with their places of residence, so far as known, and thereupon the register shall, with the approval of the judge, appoint the time for a hearing thereon before the judge, or such person as he appoints to take such examination, and shall give such notice

Sec. 64, ch. 70, R. S., amended.

Any person whose debts do not amount to \$300 may make assignment.

—proceedings.

CHAP. 46

to the creditors, of the time and place of such hearing as the judge orders, and any creditor may appear at such hearing and be heard, and examine the debtor, under oath, concerning his business, property and effects, and the disposal thereof. Such examination shall be confined within such limits as the judge directs, and in no case shall it extend to any matters arising prior to the time of the contracting of the debts owed by such debtor at the time of his examination. If it appears to the judge that the debtor has assigned, conveyed and delivered to the register all his said real and personal estate, rights and credits; and that he has disclosed the names and places of residence of all creditors known to him, he shall administer to him the following oath :

‘I, _____, swear that the account of my creditors contained in the schedule made and signed by me is true, according to my best knowledge and belief; and I further swear that I have delivered to _____, the register of probate, all my estate, rights and credits, except such as are exempt from attachment and seizure on execution; and I further swear that no part of my estate, rights or credits, has been made over, concealed, or disposed of in any manner, for the future benefit of myself, my family, or any other person, or to defraud my creditors:’ unless he has discovered, by such examination, such facts as render it inconsistent for the debtor to take such oath, or finds that any of the statements made by him upon said examination are not true. When such debtor has taken and subscribed said oath, the judge shall give him a certificate thereof under his hand, and thereupon he shall be thenceforth released and discharged from arrest upon mesne process or execution arising from any debt contracted prior to the taking such oath, and owing to any creditor named in said schedule, and he shall not be required to submit himself to examination under provisions of chapter one hundred and thirty-seven of public laws of eighteen hundred and eighty-seven as to any matters arising prior to the time of taking such oath. This section also applies to any person arrested or committed to jail upon mesne process or execution, and such debtor shall be taken by the jailer, or officer having him in charge, before the court for the purposes herein specified. After the assignment and conveyance herein provided, the register shall dispose of said debtor’s property and effects to the best advantage, depositing

in his own name as register in such bank as the judge approves, all money coming into his hands belonging to said estate, and keeping and rendering to the judge a strict account of its disposal, and the net proceeds thereof, after deducting the expenses of the proceedings, shall be divided by the register, pro rata, among the creditors of the debtor named in his original schedules, or schedules as amended by order of the judge, and such other creditors as shall have proved their claims before such distribution, in part satisfaction of their respective debts. The examination herein provided for shall be in writing, signed by the debtor and filed in the office of the register, and if the judge appoints any person to take such examination, he may allow him reasonable compensation therefor, to be paid out of the debtor's assets if they are sufficient, otherwise such compensation, or such part thereof as remains unsatisfied out of the debtor's estate shall be paid out of the county treasury.'

Approved March 4, 1891.

Chapter 47.

An Act to amend section nine of chapter fifteen of the Revised Statutes, relating to Burying Grounds.

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

Section nine of chapter fifteen of the revised statutes is hereby amended by inserting after the word "burying yard" in the second line, the word 'or incorporated cemetery or burying yard,' and by adding to said section the following words: 'nor shall any person, corporation or association establish, locate or enlarge any cemetery or burying ground by selling or otherwise disposing of lots, so that the limits thereof shall be extended nearer any dwelling house than twenty-five rods, against the written protest of the owner, provided, that nothing in this act shall prohibit the sale or disposition of lots within the limits of any existing cemetery or burying ground,' so that said section shall read as follows:

'SECT. 9. The municipal officers of any town, may on petition of ten voters, enlarge any public cemetery or burying yard or incorporated cemetery or burying yard within

Sec. 9, ch. 15,
R. S., amended.

When town
officers may
enlarge public
cemetery.