

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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PUBLIC LAWS
OF THE
STATE OF MAINE.

1891.

CHAP. 108

several states
and any foreign
state.

States, to the several libraries of each state and territory, and to any foreign state, three copies of all the acts and resolves published by order of the legislature, and one copy of all public documents printed and bound by like order, and one copy of the printed decisions of the supreme judicial court.'

Approved March 27, 1891.

Chapter 108.

An Act for the better protection of Timber Lands of this State.

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

State fire
wardens, and
their duties.

Fish and game wardens are hereby made state fire wardens, and it shall be their duty while in and about the woods, to caution all sportsmen of the danger from fires in the woods, and to extinguish all fires left burning by any one, if within their power; and to give notice to any and all parties interested when possible, of fires raging and beyond their control, to the end that the same may be controlled and extinguished.

Approved March 27, 1891.

Chapter 109.

An Act to amend section seventeen of chapter seventy of the Revised Statutes, relating to the Insolvent Law.

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

Sec. 17, ch. 70,
R. S., amended.

Section seventeen of chapter seventy of the revised statutes of eighteen hundred and eighty-three, is hereby amended by inserting after the word "resides" in the third line of said section the words 'or if a non-resident of the state, to the judge of the county in which said non-resident debtor may have personal property or real estate,' so that said section as amended, shall read as follows:

When creditors
make applica-
tion, setting
forth certain
allegations,
the judge may
issue warrant
for attachment

'SECT. 17. When one or more creditors of a debtor makes application under oath, by petition by them signed, to the judge of the county in which the debtor resides, or if a non-resident of the state, to the judge of the county in which

CHAP. 109

said non-resident debtor may have personal property or real estate, or from which he has absconded or removed beyond the state, within six months before the filing of said petition, leaving property or estate in said county, setting forth that they believe that their aggregate debts provable under this chapter, amount to more than one-fourth part of the debts provable against such debtor, and that they further believe, and have reason to believe, that said debtor is insolvent, and that it is for the best interests of all the creditors that the assets of such debtor should be divided as provided by this chapter, and it shall be satisfactorily made to appear to the judge that the allegations contained in such application are true, and that such debtor is insolvent, the judge shall issue his warrant, under his hand, to the sheriff of the county or either of his deputies, directing him forthwith to attach the real and personal estate of the debtor not exempt by law from attachment and seizure on execution, wherever the same may be situated within the state, and forbidding the payment to or by such debtor of any debt, demand or claim, and the sale, transfer, mortgage, pledge, conveyance, or removal by such debtor, his agents or attorneys, of any of his estate, property, rights or credits, and the making of any contracts for the sale or purchase thereof, or relating thereto, until such warrant is revoked by said judge. Upon the issuing of such warrant, the register shall cause an attested copy of such application and warrant to be served upon the debtor, or such other notice as the judge may order, to be given, and the debtor thereupon may appear, and a hearing shall be had upon such application by the judge, who may thereupon revoke such warrant, unless such allegations are proved. After service of the copy of the application and warrant upon such debtor, or the giving of such other notice provided by this section, as the judge may order, and until the revocation of such warrant, any payment of a debt, demand or claim, to or by said debtor, and any sale, transfer, mortgage, pledge, conveyance, or contract, for the sale or purchase of any estate, property, rights or credits, of such debtor, by him, or his agent or attorney, shall be null and void. If upon hearing or default, the judge finds the allegations of such application to be true and proved, and that said debtor is insolvent, he shall issue his additional warrant to said sheriff or either of his deputies,

of property, and forbidding payments, sales, transfers and contracts, by debtor or his representatives.

—register shall cause copy of warrant to be served upon debtor, and a hearing shall be had.

—payment of debts, conveyance of property, or contract of such debtor, after service or notice, and before revocation of warrant, void.

—additional warrant to issue, if allegations are proved.

CHAP. 110 and cause such other proceedings to be had as are provided in the preceding section.'

Approved March 27, 1891.

Chapter 110.

An Act relating to the jurisdiction of Municipal and Police Courts in actions of Replevin.

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

Sec. 9, ch. 96,
R. S., amended.

Section nine of chapter ninety-six of the revised statutes is hereby amended by adding thereto the following words: 'The action may be brought before any municipal or police court in said county, if the value of the goods does not exceed the amount to which the civil jurisdiction of such court is limited,' so that said section as amended, shall read as follows:

In what courts
replevin may be
brought.

'SECT. 9. If the value of the goods exceeds twenty dollars, the action shall be brought in the supreme judicial or superior court for the county where they are detained; if it does not exceed twenty dollars, before any trial justice of said county. The action may be brought before any municipal or police court in said county, if the value of the goods does not exceed the amount to which the civil jurisdiction of such court is limited.'

Approved March 27, 1891.

Chapter 111.

An Act to restore to certain corporations, rights of which they were deprived by the repeal of chapter three hundred and seventy-three of the Public Laws of the year eighteen hundred and eighty-five.

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

All beneficiary
associations
permitted to do
business in the
state.

SECT. 1. Fraternal beneficiary corporations, associations, or societies, whether incorporated under the laws of this or some other state, which pay disability or death benefits, or both, and also benefits to members or their families, at the ends of such periods of time as are fixed in their by-laws and written in their benefit certificates, and which were transacting business in the state on February twenty-eight, eighteen