

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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PUBLIC LAWS
OF THE
STATE OF MAINE.
1901.

Chapter 244.

An Act in relation to Trustee Process.

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

Section 1. Clause six of section fifty-five of chapter eighty-six of the revised statutes is hereby amended by inserting after the word "suit" at the end of the fifth line the words 'for taxes or' so that said clause shall read as follows:

Section 55,
chapter 86, R.
S., amended.

'VI. By reason of any amount due from him to the principal defendant, as wages for his personal labor, or that of his wife or minor children, for a time not exceeding one month next preceding the service of the process, and not exceeding twenty dollars of the amount due to him as wages for his personal labor; and this is not exempt in any suit for taxes or for necessaries furnished him or his family; moreover, wages of minor children and of women, are not, in any case, subject to trustee process on account of any debt of parent or husband.'

—month's
personal
wages.

—wages of
children and
women for
debt of
parent or
husband.

Section 2. This act shall take effect when approved.

Approved March 21, 1901.

Chapter 245.

An Act to authorize the sale or mortgage of estate subject to Contingent Remainders.

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

Section 1. When real estate is subject to a contingent remainder, executory devise, or power of appointment, the supreme judicial court, or the probate court for the county in which such real estate is situated, may, upon the petition of any person who has an estate in possession in such real estate, and after notice and other proceedings as hereinafter required, appoint one or more trustees, and authorize him or them to sell and convey such estate or any part thereof in fee simple, if such sale and conveyance appears to the court to be necessary or expedient; to mortgage the same, either with or without power of sale, for such an amount, on such terms, and for such purposes, as may seem to the court judicious or expedient; and such conveyance or mortgage shall be valid and binding upon all parties.

Real estate
subject to
contingent
remainders
may, upon
notice and
petition,
be sold or
mortgaged.

Section 2. Notice of any such petition shall be given in such manner as the court may order, to all persons who are or may become interested in the real estate to which the petition relates, and to all persons, whose issue, not in being, may become inter-

Notice shall
be such as
the court
may order.

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ested therein; and the court shall in every case appoint a suitable person to appear and act therein as the next friend of all minors, persons not ascertained, and persons not in being, who are or may become interested in such real estate; and the cost of the appearance and services of such next friend, including the compensation of his counsel, to be determined by the court, shall be paid, as the court may order, either out of the proceeds of the sale or mortgage or by the petitioned, in which latter case execution thereof may issue in the name of the next friend.

—a suitable person shall be appointed to act as next friend of all minors, etc.

Trustees shall give bond.

Section 3. Every trustee appointed under section one of this act shall give bond in such form and for such an amount as the court appointing him may order, and he shall receive and hold, invest, or apply the proceeds of any sale or mortgage made by him, for the benefit of the persons who would have been entitled to the real estate if such sale or mortgage had not been made, and the probate court for the county in which such real estate or the greater part thereof is situated shall have jurisdiction of all matters thereafter arising in relation to such trust.

—proceeds how disposed of.

Approved March 21, 1901.

Chapter 246.

An Act to fix the time of holding the terms of the Law Court.

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

Chapter 77, R. S., amended.

Section 1. Chapter seventy-seven, revised statutes of Maine is hereby amended as follows:

Section twenty is amended by striking out in the second line thereof the words "next law court to be held in the district where the cause is pending" and insert in place thereof the words 'next term of the law court' so that said section, as amended, shall read as follows:

Appeal to next term of law court, how to be claimed, and when heard.

'Section 20. From all final decrees of such justice, an appeal lies to the next term of the law court. Said appeal shall be claimed by an entry on the docket of the court from which the appeal is taken, within ten days after such decree is signed, entered and filed, and notice thereof has been given by such clerk to the parties or their counsel. The appellant shall enter such appeal, and furnish written or printed copies of the case on the first day of said law term, and for good cause shown, the law court may enlarge the time for furnishing such copies. Such appeals shall be heard at the term to which they are taken, unless otherwise agreed, or the law court shall for good cause, order

—law court shall affirm, revise or modify decree of