

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

Chapter 87.

An Act to amend Section one of Chapter one hundred fourteen of the Revised Statutes, relating to Duties payable by Public Officers.

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

Section 1. Section one of chapter one hundred fourteen of the revised statutes is hereby amended so as to read as follows: Section 1 of chapter 114, R. S., amended.

'Section 1. No person appointed to the office of the justice of the peace, justice of the peace and of the quorum, commissioner to take depositions and disclosures, trial justice, notary public, coroner, or inspector of fish, women appointed to administer oaths and take acknowledgment of deeds, disclosure commissioners, commissioners appointed under chapter one hundred ten of the revised statutes, assayers of ores and metals shall enter upon the discharge of his official duties until he has paid five dollars to the treasurer of state.' Duties payable before entering on duties.

Section 2. This act shall take effect when approved.

Approved March 12, 1903.

Chapter 88.

An Act relating to the Dissolution of Attachments by filing bond.

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

Section 1. Chapter three hundred eleven of the public laws of eighteen hundred and eighty-nine is hereby amended so as to read as follows: "When real estate or personal property is attached on mesne process, and in all cases of attachment on trustee process, the attachment shall be vacated, upon the defendant, or some one in his behalf, delivering to the officer who made such attachment, or to the plaintiff or his attorney, a bond to the plaintiff in such sum not less than the ad damnum of the writ and with such sureties as may be approved by the plaintiff or his attorney, or by any justice or clerk of the supreme judicial or superior courts; conditioned that within thirty days after the rendition of the judgment, or after the adjournment of the court in which it is rendered, or after the certificate of decision of the law court shall be received in the county where the cause is pending, he will pay to the plaintiff or his attorney of record, the amount of said judgment including costs; the bond shall be returned by the officer with the process, for the benefit of the plaintiff, and thereupon all liability of the officer to the plaintiff" Chapter 311, public laws of 1889, amended.

—attachment, how vacated by bond.

—condition of bond.

—return of bond.

CHAP. 89

—certificate of discharge.

—fee for record.

—in trustee process.

Sections 85, 86 and 87 of chapter 86, R. S., repealed.

Acknowledgment of deeds, by grantor, before whom.

—seal of court or notary.

by reason of such attachment shall cease. Upon request the plaintiff or his attorney, shall give to the defendant a certificate acknowledging the discharge of such attachment, which may be recorded in the registry of deeds or town clerk's office, as the case may be, in which the return of the attachment is filed; the register of deeds or town clerk shall be entitled to twenty-five cents for recording the same. If stock in any corporation is attached, such certificate shall be filed with the officer of the corporation, with whom the return of such attachment is filed, and he shall record the same. In trustee process the alleged trustee shall not be liable to the principal defendant for the goods, effects and credits in his hands or possession until such certificate shall be delivered to him, and upon receiving such certificate, he shall be discharged from further liability in said trustee action, and need not disclose, and shall not recover costs."

Section 2. Sections eighty-five, eighty-six and eighty-seven of chapter eighty-six of the revised statutes are hereby repealed.
Section 3. This act shall take effect when approved.

Approved March 12, 1903.

Chapter 89.**An Act relating to the Acknowledgment of Deeds.**

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

Section 17 of chapter 73, R. S., amended.

Section 1. Section seventeen of chapter seventy-three in revised statutes is hereby amended by striking out in the fifth line the words "justice of the peace, magistrate" and by inserting in place thereof 'clerk of the court of record having the seal'; by adding to said section the seal of such court, or the official seal of such notary shall be affixed to the certificate of acknowledgment. So that said section shall read as follows:

'Section 17. Deeds shall be acknowledged by the grantors, or one of them, or by their attorney executing the same, before a justice of the peace, or notary public, or women otherwise eligible under the constitution and appointed for the purpose by the governor with the advice and consent of the council in the state or any clerk of a court of record having a seal or notary public within the United States, or before a minister or consul of the United States or notary public in any foreign country. The seal of such court, or the official seal of such notary shall be affixed to the certificate of acknowledgment.'

Section 2. This act shall take effect when approved.

Approved March 12, 1903.