

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

Published by the Secretary of State, agreeably to Resolves of
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

Chapter 9.

An Act to amend Section forty-six of Chapter one hundred and six of the Revised Statutes, relating to the appointment of Surveyors in real actions.

Be it enacted by the People of the State of Maine, as follows:

Section forty-six of chapter one hundred and six of the revised statutes is hereby amended by inserting after the word "action" in the second line thereof the following: 'Or in an action of trespass in which the title to land is involved as shown by the pleadings filed,' and also by adding to said section the following: 'The fees and necessary expenses of such surveyor shall be paid by the county on presentation of the proper certificate of the clerk of courts for that county, and the amount thereof shall be fixed by the court upon the acceptance of the report,' so that said section as amended shall read as follows:

Section 46,
chapter 106,
R. S.,
amended.

'Section 46. The court may appoint a surveyor to run lines and make plans of lands demanded in a real or mixed action, or in an action of trespass in which the title to land is involved, as shown by the pleadings filed on motion of either party; and if he is prevented by force, menaces, or fear, from performing the duties assigned him, the court may issue a warrant to the sheriff, commanding him with suitable aid, to prevent such opposition; and in the execution of such warrant, he may exercise all the power pertaining to his office; and all persons refusing their aid when called for by him are liable to the same penalties as in other like cases. The fees and necessary expenses of such surveyor shall be paid by the county on presentation of the proper certificate of the clerk of courts for that county, and the amount thereof shall be fixed by the court upon the acceptance of the report.'

Court may
appoint and
protect sur-
veyors.

—fees and
expenses of
surveyors,
how paid.

Approved February 16, 1909.

Chapter 10.

An Act to amend Section one of Chapter twenty-four of the Public Laws of nineteen hundred and seven, in relation to reports of hearings in vacation in Law or Equity.

Be it enacted by the People of the State of Maine, as follows:

Section one of chapter twenty-four of the public laws of nineteen hundred and seven is hereby amended by adding thereto the following: "When any such hearing is had before

Section 1
chapter 24,
public laws
1907,
amended.

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a justice of said court other than one residing in the county where said hearing is held, such justice shall be reimbursed by the state for his expenses actually and reasonably incurred in attending said hearing, upon presentation to the governor and council of a detailed statement of such expenses," so that said section one as thus amended shall read as follows:

Presiding justice may appoint stenographer at hearings in vacation.

'Section 1. At any hearing in vacation of a cause in law or equity pending in the supreme judicial court, the presiding justice may, when necessary, appoint a stenographer other than his regularly appointed court stenographer to report the proceedings thereof, who shall receive for his services from the treasury of the county in which the cause is pending a sum not exceeding six dollars a day for attendance in addition to actual traveling expenses; but when at such hearings the presiding justice employs his regularly appointed stenographer, such stenographer shall receive from said treasury only the amount of his actual expenses incurred in attending the same; when any such hearing is had before a justice of said court other than one residing in the county where said hearing is held, such justice shall be reimbursed by the state for his expenses actually and reasonably incurred in attending said hearing upon presentation to the governor and council of a detailed statement of such expenses.'

—justice shall be reimbursed by state for expenses.

Approved February 19, 1909.

Chapter 11.

An Act to amend Sub-division fifth, Section twenty-three, Chapter forty-eight of the Revised Statutes, relating to investments of deposits of savings banks.

Be it enacted by the People of the State of Maine, as follows:

Sub-division 5, section 23 chapter 48, R. S., amended.

Sub-division fifth, section twenty-three, chapter forty-eight of the revised statutes is hereby amended by striking out the words "and paying a regular dividend of not less than five per cent a year," at the end thereof, and substituting therefor the following, 'an amount in excess of fixed charges, interest on its debts and running expenses equivalent to five per cent per annum on an amount of capital stock equal to one-half of its entire funded debt,' so that said sub-division as amended shall read as follows:

Investment of deposits.

'Fifth: In bonds of any corporation other than railroad and water companies, incorporated under the authority of this