

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

1913

Including Acts and Resolves of the Special Session held
in 1912.

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

CHAP. 169 ing actual traveling expenses of said members and their assistants, as the governor and council may determine.

Shall receive no compensation.

Section 3. Said commissioners shall receive no compensation.

Approved April 2, 1913.

Chapter 169.

An Act to Amend Section One of Chapter Ninety-three of the Revised Statutes, as Amended, Relating to Mortgages of Personal Property.

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

Section 1 of chapter 93, R. S., as amended by chapter 86 of P. L. of 1911, further amended.

Mortgages of personal property, when valid between the parties.

—where mortgage shall be recorded.

Section one of chapter ninety-three of the revised statutes, as amended by chapter eighty-six of the public laws of nineteen hundred eleven, is hereby further amended so that said section when amended shall read as follows:

‘Section 1. No mortgage of personal property is valid against any other person than the parties thereto, unless possession of such property is delivered to, and retained by the mortgagee, or the mortgage is recorded in the office of the clerk of the city, town or plantation organized for any purpose, in which the mortgagor resides, when the mortgage is given. When any of the mortgagors reside without the state, or in an unorganized place in the state, the mortgage shall be recorded in the registry of deeds in the county where the mortgagee resides, when the mortgage is given. A mortgage made by a corporation, shall be recorded in the city, town or plantation where it has its established place of business, and if said corporation has no established place of business in the state, or said place of business is in an unorganized place in the state, then in the registry of deeds in the county where the mortgagee resides when the mortgage is made.’

Approved April 2, 1913.

Chapter 170.

An Act to Amend Section Twenty of Chapter Sixty-seven of the Revised Statutes, as Amended by Chapter One Hundred and Thirty-four of the Public Laws of Nineteen Hundred and Eleven, Relating to the Distribution of Personal Estate.

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

Section 20 of chapter 67, R. S., as amended by chapter 134 of P. L. of 1911, amended.

Section twenty of chapter sixty-seven of the revised statutes as amended by chapter one hundred and thirty-four of the public laws of nineteen hundred and eleven, is hereby further amended, so that said section as amended shall read as follows:

'Section 20. When on the settlement of any account of an administrator or executor, there appears to remain in his hands property not necessary for the payment of debts and expenses of administration, nor specifically bequeathed, the judge upon petition of any party interested, after public notice and such other notice as he may order, shall determine who are entitled to the estate and their respective shares therein under the will or according to law, and order the same to be distributed accordingly; and alienage shall be no bar to any person who, in other respects, is entitled to receive any part of such property. If an executor or administrator neglects to distribute the property in his hands in pursuance of such order, and the parties in interest reside out of the state, and had no actual notice of any such settlement of account, the judge on petition of any such party, may, within six years after such settlement, order such executor or administrator to render a new account. If any sum of money directed by a decree of the probate court to be paid over, remains for six months unclaimed, the executor, administrator, guardian or trustee who was ordered to pay over the same shall pay such sum of money to the treasurer of the county in which the probate court has jurisdiction, who shall give a receipt therefor, specifying the amount, name of estate and name of person entitled thereto, which said receipt shall be filed in the probate court and allowed as a sufficient voucher therefor.

Any time within twenty years from the date of the deposit, the person entitled thereto or his executor, administrator or assigns may present to the county commissioners evidence of his right to the same and upon satisfactory proof that he or they are entitled thereto, they shall by warrant, direct said county treasurer to pay over to such person or persons the amount of the original deposit, with the amount of the interest at the rate of two per centum per annum from the date of deposit, provided that all sums of money turned over to the county treasurer by any savings bank shall draw interest at the same rate as was paid by said banks at the time it was paid over by said bank.

Such county treasurer shall annually in the month of January cause to be published in one or more newspapers published and printed within the county and the state paper a list of all persons entitled to such deposit.

Such county shall have the use and income of all such deposits and after twenty years from the date of such deposit, if not claimed and paid over to the person entitled thereto, his heirs, executors, administrators or assigns, the same shall escheat to the county.

CHAP. 170

Remainder of personal estate, how distributed.

—proceedings if order of distribution is not executed.

—unclaimed shares to be paid over to county treasurer.

—with-drawal of deposit.

County treasurer shall publish list of depositors annually.

Deposits shall escheat to county after twenty years.

CHAP. 171

Deposits
in banks
shall be
assigned to
county
treasurers.

—final
account.

This act shall apply to all deposits heretofore made under said section twenty, and within sixty days from the time this act shall take effect, the judges of our several probate courts shall assign all such deposits to the several county treasurers, and the registers shall deliver the bank books to said treasurers, but the said twenty years shall in such cases commence on the date of such transfer. But every person entitled to receive and be paid any such deposit made before March twenty-ninth, nineteen hundred and eleven, shall be entitled to receive and be paid the amount of such original deposit with such interest thereon as is shown by the bank book of such original deposit at the date of such payment to such person. When an executor, administrator, guardian or trustee has paid or delivered over to the persons entitled thereto the money or other property in his hands, as required by a decree of a probate court, he may perpetuate the evidence thereof by presenting to said court, without further notice, within one year after the decree is made, an account of such payments, or of the delivery over of such property; which account being proved to the satisfaction of the court, and verified by oath of the party, shall be allowed as his final discharge, and ordered to be recorded.'

Approved April 4, 1913.

Chapter 171.

An Act to Amend Section Five of Chapter One Hundred and Thirteen, of the Revised Statutes, Relating to Personal Property Bargained and Delivered to Another, Which Shall Remain the Property of the Seller Till Paid For.

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

Section 5 of
chapter 113,
R. S.,
amended.

Section five of chapter one hundred and thirteen of the revised statutes is hereby amended by inserting after the word "the" and before the word "town" in the eighth line the word 'city,' and inserting after the word "town" and before the word "in" in the eighth line the words 'or plantation organized for any purpose,' and by inserting after the word "purchase" and before the word "the" in the ninth line the words 'but if any of the purchasers are not residents of the state, or reside in an unorganized place in the state, then in the registry of deeds in the county where the seller resides at the time of the sale,' and by inserting the words 'of the revised statutes' after the words "chapter eighty-eight" in the twelfth line thereof; so that said section as amended shall read as follows:

Agreement
that goods
sold and
delivered
shall remain
the property
of seller,
must be
written and
sworn to.

'Section 5. No agreement that personal property bargained and delivered to another, shall remain the property of the seller