

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

Published by the Secretary of State.

AUGUSTA

KENNEBEC JOURNAL PRINT

1915

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

1915

[supplied from page 1 of volume]

Chapter 61.**CHAP. 61**

An Act to Amend Section Twenty-one of Chapter Forty-eight of the Revised Statutes, as Amended by Chapter Sixty-nine of the Public Laws of Nineteen Hundred Seven, Relating to Deposits in Savings Banks and Institutions for Savings in the Names of Married Women and Minors.

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

Section twenty-one of chapter forty-eight of the Revised Statutes, as amended by chapter sixty-nine of the Public Laws of nineteen hundred seven, is hereby further amended by striking out all of said section, excepting the last sentence therein, and inserting in the place thereof the following: 'Money deposited in a bank, institution for savings, or trust company, by a married woman, is her property and she may maintain an action in her own name to recover it. Money deposited in the name of a minor is his or her property, and the corporation may, in the discretion of the officer making the payment, pay the same to such minor or to his or her guardian, and such payment shall be valid. The foregoing provisions as to ownership do not apply to money belonging to a third person and fraudulently deposited by or in the name of a married woman or minor, but payment to such married woman or minor by said bank, institution for savings, or trust company, without notice of such fraud shall be valid. The receipt of such married woman or minor for such deposits and interest, or any part thereof, is a valid release and shall discharge the corporation; so that said section as amended shall read as follows:

'Section 21. Money deposited in a bank, institution for savings, or trust company, by a married woman, is her property and she may maintain an action in her own name to recover it. Money deposited in the name of a minor is his or her property, and the corporation may, in the discretion of the officer making the payment, pay the same to such minor or to his or her guardian, and such payment shall be valid. The foregoing provisions as to ownership do not apply to money belonging to a third person and fraudulently deposited by or in the name of a married woman or minor, but payment to such married woman or minor by said bank, institution for savings, or trust company, without notice of such fraud shall be valid. The receipt of such married woman or minor for such deposits and interest, or any part thereof, is a valid release and shall discharge the corporation. And when money is deposited in the names of two or more persons, payable to either, the whole, or any part thereof, may be paid to either of such persons with or without the

Ch. 48, Sec. 21, R. S., as amended by Ch. 69, P. L. 1907, further amended.

Married woman or minor may maintain action to recover money deposited.

—exceptions.

—receipt valid.

Money deposited in names of two or more persons, how payable.

CHAP. 62 consent of the other, before or after the death of the other, or to the legal representative of the survivor of such persons.'

Approved March 10, 1915.

Chapter 62.

An Act to Amend Sections Eight, Forty-six and Fifty-four of Chapter Twenty-three of the Revised Statutes, Relating to the Compensation of Committees in Highway Proceedings.

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

Ch. 23, Sec. 8, R. S., amended.

Last sentence changed.

May appeal from decision of county commissioners.

Court may render judgment for damages recovered. —notice of appeal.

County commissioners shall be notified of final judgment.

—failure to recover extra damages.

Section 1. Section eight of chapter twenty-three of the Revised Statutes is hereby amended by striking out the last sentence of said section and by inserting in place thereof the following sentence, 'The committee shall be allowed a reasonable compensation for their services, to be fixed by the court upon the presentation of their report and paid from the county treasury upon the certificate of the clerk of courts,' so that said section, as amended, shall read as follows :

'Section 8. Any person aggrieved by the estimate of damages by the county commissioners, on account of the laying out or discontinuing of a way, may appeal therefrom, at any time before the third day of the regular term succeeding that at which the commissioners' return is made, to the term of the Supreme Judicial court, first held in the county where the land is situated, more than thirty days after the expiration of the time within which such appeal may be taken, excluding the first day of its session, which court shall determine the same by a committee of reference if the parties so agree, or by a verdict of its jury, and shall render judgment for the damages recovered, and judgment for costs in favor of the party entitled thereto, and shall issue execution for the costs only. The appellant shall file notice of his appeal with the county commissioners within the time above limited, and at the first term of the court shall file a complaint setting forth substantially the facts, upon which the case shall be tried like other cases. The clerk shall certify the final judgment of the court to the county commissioners, who shall enter the same of record, and order the damages therein recovered to be paid as provided in section seven. The party prevailing recovers costs to be taxed and allowed by the court, except that they shall not be recovered by the party claiming damages, but by the other party, if on such appeal by either party, said claimant fails to recover a greater sum as damages than was allowed to him by the commissioners. The