

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

1915

[supplied from page 1 of volume]

said committee, whose services shall be rendered free and without any compensation, and the work shall appear to them to have been prepared with accuracy, the Secretary of State shall purchase five hundred copies of such record at a price not exceeding one cent per page; provided, that the written copies of the town records shall become the property of the State, and shall be deposited in the office of the State Registrar of Vital Statistics; and provided, further, that not more than one thousand dollars shall be expended by authority of this act in any one year.'

CHAP. 118

Secretary of State shall purchase verified records when accurate.
—proviso.

Approved March 17, 1915.

Chapter 118.

An Act to Amend Section Thirty-five of Chapter Eighty-four of the Revised Statutes, Relating to Proceedings on Demurrers.

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

Section thirty-five of chapter eighty-four of the Revised Statutes is hereby amended by adding at the end thereof the following sentence, 'But by leave of court the time therefor may be enlarged, or further time may be granted by the court within which to pay said costs and to file such amendment or new pleadings,' so that said section, as amended, shall read as follows:

Ch. 84, Sec. 35, R. S., amended.

—additional.

'Section 35. A general demurrer to the declaration may be filed; and in any stage of the pleadings either party may demur, and the demurrer must be joined, and it shall not be withdrawn without leave of court, and of the opposite party; but the justice shall rule on it, and his ruling shall be final unless the party aggrieved excepts; and before exceptions are filed and allowed, he has the same power as the full court to allow the plaintiff to amend, or the defendant to plead anew. If the law court deems such exceptions frivolous, it shall award treble costs against the party excepting from the time the exceptions were filed. If the declaration is adjudged defective and is amendable, the plaintiff may amend upon payment of costs from the time when the demurrer was filed. If the demurrer is filed at the first term and overruled, the defendant may plead anew on payment of costs from the time when it was filed, unless it is adjudged frivolous and intended for delay, in which case judgment shall be entered. At the next term of court in the county where the action is pending, after a decision on the demurrer has been certified by the clerk of the district to the

Demurrers, when filed, shall be joined, and not withdrawn.

—exceptions, how dealt with.

—amendments may be made.

—further proceedings may be had.

CHAP. 119 clerk of such county, and not before, judgment shall be entered on the demurrer, unless the costs are paid, and the amendment or new pleadings filed on the second day of the term. But by leave of court the time therefor may be enlarged, or further time may be granted by the court within which to pay said costs and to file such amendment or new pleadings.'

—extension of time.

Approved March 17, 1915.

Chapter 119.

An Act to Amend Section Sixty-nine of Chapter Eighty-three of the Revised Statutes, Relating to the Duration of Attachments.

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

Ch. 83, Sec. 69, R. S., amended.

Section sixty-nine of chapter eighty-three of the Revised Statutes is hereby amended by striking out the words in the third and fourth lines, "except attachments of equities of redeeming real estate mortgaged or taken on execution," and by inserting in place thereof the words 'except attachments of real estate taken on execution,' so that said section as amended shall read as follows:

Attachment continues thirty days after judgment—exceptions.

'Section 69. An attachment of real or personal estate continues for thirty days, and no longer, after final judgment in the original suit, and not in review or error; except attachments of real estate taken on execution; or equities of redemption sold on execution; or an obligee's conditional right to a conveyance of real estate sold on execution; or property attached and replevied; or property attached belonging to a person dying thereafter, or specially provided for in any other case; but an attachment of real estate shall expire at the end of five years from the date of filing the same in the office of the register of deeds in the county or district where the said real estate or some part of it is situated, unless the said register shall, within said period, at the request of the plaintiff or his attorney bring forward the same upon the book of attachments, and at the expiration of five years from the time of such first, or any subsequent bringing forward, such attachment shall expire unless within said period it is again brought forward in like manner. The register shall be entitled to the same fee for bringing forward such attachment upon the said book of attachments, as for the original entry thereof.'

—attachment of real estate expires in five years, subject to exceptions.

—fees of register.

Approved March 17, 1915.