

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the
Seventy-Seventh Legislature held in 1916.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Eighth Legislature

1917

[supplied from page 1 of volume]

CHAP. 167

Each town, parish, religious society, and any individual, association or corporation, to which any ancient or public burying ground belongs, shall keep a substantial fence around it in good repair; and in any such burying ground in which any Revolutionary soldier or sailor is buried, the town in which said burying ground is located, shall keep in good condition and repair, all graves, headstones, monuments or markers designating the burial place of said Revolutionary soldiers or sailors, and shall keep the grass suitably cut and trimmed on such graves during the summer season. Towns may raise and appropriate money for such purposes. Each said town, parish, religious society, individual, association or corporation shall be liable to a penalty of not exceeding twenty-five dollars for neglect to maintain such fence in good repair, and each said town shall be liable to a penalty of not exceeding ten dollars for neglect to keep in good condition and repair all such graves, headstones, monuments and markers, or failing to keep the grass suitably cut and trimmed as aforesaid, on said graves. The penalties above provided for shall be recovered in an action of debt brought in the name and for the use of any chapter of the Daughters of the American Revolution against such negligent town, parish, religious society, individual, association or corporation.'

Approved April 3, 1917.

Chapter 167.

An Act Providing for Monthly Payment of Salaries of County Officials.

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

Sec. 1. Salaries of certain county officers to be paid monthly. The salaries of judges of probate, registers of probate, clerks of judicial courts, sheriffs, county commissioners, registers of deeds and county treasurers of the several counties, shall be paid in equal monthly payments on the last day of each month.

Sec. 2. Inconsistent statutes repealed. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved April 3, 1917.

Chapter 168.

An Act to Amend Section Four of Chapter Seventy-six of the Revised Statutes, Relating to Notices upon Petitions for Sale of Real Estate.

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

R. S., c. 76, § 4, relating to sale of real estate by license of court, amended. Section four of chapter seventy-six of the revised statutes is hereby amended by inserting after the word "cause" in the fifth line of said section, the following words: 'but such notice, when public, may be published in a consolidated form, and shall contain the name of the estate

CHAP. 169

or the title of the case, the name of the petitioner and the name of the city, town, or plantation where such real estate is situated; but such notice need contain no other description of the real estate,' so that said section as amended shall read as follows:

'Sec. 4. Nature of public notice of intention of sale. No license shall be granted for the sale of any such real estate, of the value of more than fifty dollars, unless by written consent of all persons interested therein, until after public or personal notice of the time and place of hearing, to all such persons, to appear and object if they see cause; but such notice, when public, may be published in a consolidated form, and shall contain the name of the estate or the title of the case, the names of the petitioner and the name of the city, town, or plantation where such real estate is situated; but such notice need contain no other description of the real estate. If any party interested resides without the state, or the real estate is situated in a county other than the county in which the proceedings are pending, such special notice may be given as the court directs.'

Approved April 3, 1917.

Chapter 169.

An Act to Provide for Discharge of Record Attachments of Real Estate which have Lapsed.

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

Sec. 1. Real estate attachment, relating to record of discharge of. When, an attachment of real estate is made in any action and the writ is not entered in court, or when any attachment of real estate is dissolved by lapse of time or failure to levy upon the judgment debt within the time prescribed by law to preserve said attachment, and the said attachment then remains undischarged upon the records of the registry of deeds, the plaintiff upon the demand of the defendant shall either cause the said attachment to be discharged upon the records of the registry of deeds, or give a certificate, signed, sealed and acknowledged by him that said attachment is discharged when said certificate is prepared and presented to the plaintiff by the defendant, which said certificate the register of deeds shall record with reference thereto on the margin of the record of said attachment.

Sec. 2. Proceeding when plaintiff fails or refuses to discharge attachment. If the plaintiff shall upon demand unreasonably delay or refuse to discharge the said attachment as prescribed in section one of this act, then a bill in equity against the said plaintiff may be filed by the defendant in the supreme judicial court, in the county in which the attachment of said real estate has been made; upon said bill, such notice shall be given as may be ordered by any justice of the said court, in term time or in vacation, and upon proof thereof, such proceedings may be had according to the usual course of suits in equity, and said attachment shall be discharged