

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Ninth Legislature

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[supplied from page 3 of volume]

six months on all demand loans in such aggregate. In all cases where loans in excess of said ten per cent are granted, the records of the company shall show who voted in favor thereof, and said records and those required by section seventy-nine of this chapter shall constitute prima facie evidence of the truth of all facts stated therein in prosecutions and suits to enforce the several provisions and penalties enumerated in section eighty of this chapter.'

Approved April 4, 1919.

Chapter 177.

An Act to Amend Section Fourteen of Chapter Ninety-two of the Revised Statutes, as Amended by Section Seven of Chapter One Hundred and Thirty-three of the Public Laws of Nineteen Hundred and Seventeen, and Sections Seventeen and Nineteen of Chapter Ninety-two of the Revised Statutes, All Relating to the Filing of Claims against Estates of Deceased Persons.

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

Sec. 1. R. S., c. 92, § 14, 1917, c. 133, § 7; relating to claims against estates, amended. Section fourteen of chapter ninety-two of the revised statutes, as amended by chapter one hundred and thirty-three, section seven of the public laws of nineteen hundred and seventeen, is hereby amended by striking out the word "eighteen" in the sixth line of said section, and inserting in place thereof, the word 'twelve', so that said section, as amended, shall read as follows:

'**Sec. 14. Claim to be filed within twelve months.** All claims against estates of deceased persons, except for legacies and distributive shares and for labor and materials for which suit may be commenced under section thirty-four of chapter ninety-six, shall be presented to the executor or administrator in writing, or filed in the registry of probate, supported by an affidavit of the claimant, or of some other person cognizant thereof, either before or within twelve months after his qualification as such executor or administrator; and no action shall be commenced against such executor or administrator on any such claim until thirty days after the presentation or filing of such claim as above provided. Any claim not so presented or filed shall be forever barred against the estate, except as provided in sections seventeen, nineteen and twenty-two of this chapter.'

Sec. 2. R. S., c. 92, § 17; relating to proceedings when action does not accrue within eighteen months, amended. Section seventeen of chapter ninety-two of the revised statutes is hereby amended by striking out the word "eighteen" in the second line and inserting in place thereof the word 'twelve,' so that said section, as amended, shall read as follows:

'**Sec. 17. Limit fixed at twelve instead of eighteen months.** When an action on a covenant or contract does not accrue within said twelve months,

CHAP. 178

the claimant may file his demand in the registry of probate within that time, verified as required in case of claims presented to the commissioners on insolvent estates; and the judge of probate shall direct that sufficient assets, if such there are, shall be retained by the executor or administrator, unless the heirs or devisees of the estate give bond to the executor or administrator, with one or more sureties, approved by the judge to pay whatever is found due on said claim.'

Sec. 3. R. S., c. 92, § 19; relating to remedy on claims not filed within eighteen months, amended. Section nineteen of chapter ninety-two of the revised statutes is hereby amended by striking out the word "eighteen" in the second line of said section and inserting in place thereof the word 'twelve', so that said section, as amended, shall read as follows:

'**Sec. 19. Limit fixed at twelve instead of eighteen months.** When such claim has not been filed in the probate office within said twelve months, the claimant may have remedy against the heirs or devisees of the estate within one year after it becomes due and not against the executor or administrator.'

Approved April 4, 1919.

Chapter 178.

An Act to Amend Sections Three and Six of Chapter Two Hundred and Sixty of the Public Laws of Nineteen Hundred and Seventeen, Entitled "An Act to Establish a Superior Court in the County of Androscoggin."

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

Sec. 1. 1917, c. 260, § 3; relating to jurisdiction of Androscoggin superior court, amended. Section three of chapter two hundred and sixty of the public laws of nineteen hundred and seventeen is hereby amended by inserting between the words "appeals" and "from municipal and police courts" in the second line thereof the words 'and civil cases removed'; by inserting between the words "jurisdiction of" and "actions of trespass" in the eighth and ninth lines thereof the words 'real actions'; by striking out the words "and real actions" in the eleventh and twelfth lines thereof; and by adding to said section the following: 'It is hereby expressly provided, however, that all municipal courts within said county of Androscoggin shall have concurrent jurisdiction with said superior court in all civil actions where the debt or damages demanded do not exceed one hundred dollars,' so that said section, as amended, shall read as follows:

'**Sec. 3. Municipal courts of county to have concurrent jurisdiction in civil actions not exceeding \$100.** Within said county, said superior court shall have exclusive jurisdiction of civil appeals and civil cases removed from municipal and police courts, and trial justices, exclusive original