

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninetieth and Ninety-first
Legislatures
OF THE
STATE OF MAINE
From April 26, 1941 to April 9, 1943
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
approved August 6, 1930 and April 2, 1931.

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

of such marriage, and such persons shall be subject to removal from the tribal reservations as provided in sections 261 and 291 of this chapter. Provided, however, that this paragraph shall not apply to any Indian member of either tribe who serves in the armed forces of the United States or any of its allies in the present war.'

Effective July 9, 1943

Chapter 324

AN ACT Granting Increase in Salary to Judge of Probate of Piscataquis County.

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

R. S., c. 125, § 39, amended. That part of section 39 of chapter 125 of the revised statutes which relates to Piscataquis county is hereby amended to read as follows:

'Piscataquis, ~~eight hundred dollars~~ \$1,000.'

Effective July 9, 1943

Chapter 325

AN ACT Relating to Attached Mortgaged Property.

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

Sec. 1. R. S., c. 95, § 45, amended. The last paragraph of section 45 of chapter 95 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Such summons, when property is attached on the writ, shall be returnable to the court to which the writ is returnable or to any justice thereof in vacation not less than 10 days nor more than 60 days after service thereof, and when property is seized on execution such summons shall be made returnable to any justice or judge of the court issuing such execution on any day fixed by such justice or judge not less than 10 days nor more than 60 days thereafter. Service in either case shall be by copy of such summons attested by the officer serving the same. If in either case the mortgagee or claimant fails to appear and answer, or after hearing, fails to establish his claim under such mortgage, pledge or lien, he thereby waives the right to hold the property thereon.'

CHAP. 326

Sec. 2. R. S., c. 95, § 47, amended. Section 47 of chapter 95 of the revised statutes is hereby amended to read as follows :

'Sec. 47. Proceedings when validity of mortgage is established. If upon examination held under the provisions of section 45, or upon the verdict of a jury as hereinafter provided, it appears that the mortgage is valid, the court, or such justice or judge thereof, having first ascertained the amount justly due upon it, may direct the attaching creditor to pay the same to the mortgagee or his assigns within such time as it orders; and if he does not pay or tender the amount within the time prescribed, the attachment shall be vacated and the property shall be restored. If the attaching creditor pays or tenders the amount directed to be paid within such time and the mortgagee or his assigns fails to immediately assign such mortgage to the attaching creditor, the mortgagee or his assigns shall be estopped from claiming any interest in such attached goods by virtue of his mortgage.'

Effective July 9, 1943

Chapter 326

AN ACT Relating to the Salary of Various Officers of Waldo County.

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

Sec. 1. R. S., c. 125, § 39, amended. That part of section 39 of chapter 125 of the revised statutes which relates to Waldo county, is hereby amended to read as follows :

'Waldo, ~~one thousand dollars~~ \$1,100.'

Sec. 2. R. S., c. 125, § 40, amended. That part of section 40 of chapter 125 of the revised statutes, which relates to Waldo county, is hereby amended to read as follows :

'Waldo, ~~twelve hundred dollars~~ \$1,320.'

Sec. 3. R. S., c. 125, § 41, amended. That part of section 41 of chapter 125 of the revised statutes, which relates to Waldo county, is hereby amended to read as follows :

'Waldo, ~~fourteen hundred dollars~~ \$1,540.'

Sec. 4. R. S., c. 125, § 42, amended. That part of section 42 of chapter 125 of the revised statutes, which relates to Waldo county, is hereby amended to read as follows :

'Waldo, ~~fifteen hundred dollars~~ \$1,650.'