

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

BANGOR:
WHEELER & LYNDE.

1857.

CHAPTER 109.

TIMBER AND CORD WOOD; HOW IT MAY BE DISPOSED OF IN CERTAIN CASES.

- SEC. 1. On application of the owners of certain interests in wood lands, the supreme judicial court, after notice and hearing, may grant leave to sell the wood.
2. Commissioners to be appointed therefor, and to give bond.
 3. Proceeds; how invested. Appropriation of income.
 4. Court to appoint trustees of such proceeds, who shall give bond.

SEC. 1. Any person seized of a freehold estate, or of a remainder or reversion in fee simple, or fee tail, in a tract of woodland or timber land, on which the trees are of a growth and age fit to be cut, may apply to the supreme judicial court in any county for leave to cut and dispose of such trees, and invest the proceeds for the use of the persons interested therein; and the court, after due notice to all persons interested, and a hearing of the parties, if any appear, may appoint one or more persons to examine the land and report to the court, and the court may thereupon order the whole or a part of such trees to be cut and sold, and the proceeds brought into court, subject to further orders.

On application of the owners of certain interests in wood lands, &c.
R. S., c. 139, § 1.

SEC. 2. The court shall appoint one or more commissioners to superintend the cutting and sale of such trees, who shall account for the proceeds to the court, and be under bond to the clerk for the faithful performance of their trust.

Commissioners to be appointed therefor, &c.
R. S., c. 139, § 2.

SEC. 3. The court may cause the net proceeds of sale to be invested in other real estate in this state, or in public stocks, to the same uses and under the same limitations as the land; and the income thereof to be paid to the persons entitled to the income of the land, or apportioned among the persons interested in the estate, according to their interest.

Proceeds, how invested, &c.
R. S., c. 139, § 3.

SEC. 4. The court may appoint one or more trustees, removable at their pleasure, to hold such estates or stocks for said uses, who shall give bond, with sufficient sureties, to said clerk, for the faithful discharge of their duty.

Court to appoint trustees, &c.
R. S., c. 139, § 4.

CHAPTER 110.

COMMISSIONERS TO TAKE ACKNOWLEDGMENT OF DEEDS AND OTHER CONTRACTS, AND DEPOSITIONS IN OTHER STATES.

- SEC. 1. Appointment; power to authenticate deeds.
2. Legal effect of their official acts and certificates.
 3. May administer oaths, and take depositions.
 4. Qualification and seal.

SEC. 1. The governor may appoint one or more commissioners in any other of the United States, and in any foreign country, who shall continue in office during his pleasure; and

Appointment; power to authenticate deeds.

CHAP. 110. have authority to take the acknowledgment and proof of the execution of any deed, other conveyance, or lease of any lands lying in this state; and of any contract, letter of attorney, or any other writing, under seal or not, to be used or recorded in this state.

R. S., c. 134,
§ 1.
1856, c. 222.

Legal effects of
their official
acts.

R. S., c. 134,
§ 2.

May adminis-
ter oaths, and
take deposi-
tions.

R. S., c. 134,
§ 3.

Qualification
and seal.

R. S., c. 134,
§ 4.

SEC. 2. Such acknowledgment or proof, taken according to the laws of this state, and certified by any such commissioner under his seal of office, annexed to or indorsed on such instrument, shall have the same force and effect, as if done by an officer authorized to perform such acts in this state.

SEC. 3. Every commissioner thus appointed may administer any oath, lawfully required in this state, to any person willing to take it; and take and duly certify all depositions, to be used in any of the courts in this state, in conformity to the laws thereof, on interrogatories proposed under commission from a court of this state, by consent of parties, or on legal notice given to the opposite party; and all such acts shall be as valid as if done and certified, according to law, by a magistrate in this state.

SEC. 4. Every such commissioner, before performing any duty or exercising any power in virtue of his appointment, shall take and subscribe an oath or affirmation, before a judge or clerk of one of the superior courts of the state or country in which he resides, well and faithfully to execute and perform all his official duties under the laws of Maine; which oath, and a description of his seal of office, shall be filed in the office of the secretary of this state.

CHAPTER 111.

PREVENTION OF FRAUDS AND PERJURIES IN CONTRACTS, AND ACTIONS FOUNDED THEREON.

- SEC. 1.** Cases in which promises must be in writing.
2. The consideration need not be expressed therein.
 3. No action to be maintained on a contract made by a minor, unless ratified after becoming of age.
 4. Representation of another's ability or character, to be in writing.
 5. What contracts for sale of goods must be in writing.
 6. When specific performance of a contract may be enforced by a bill in equity.
 7. What decree to be made; the conveyance to be good.
 8. Enforcement of the decree.
 9. Provision in case of the death of the obligor before conveyance.
 10. Administrator of the contractor may petition for authority to make conveyance.

Cases in which
promises must
be in writing.

1848, c. 52, § 1.
R. S., c. 136,
§ 1.

SEC. 1. No action shall be maintained in any of the following cases:

First.—To charge an executor or administrator upon any special promise to answer damages out of his own estate. (a)

(a) 20 Maine, 21.