

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

---

Published by the Secretary of State.

---

AUGUSTA

KENNEBEC JOURNAL PRINT

1915

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Seventy-Seventh Legislature

**1915**

[supplied from page 1 of volume]

**Chapter 80.**

**CHAP. 80**

An Act to Amend Section Nine of Chapter Sixty-nine of the Revised Statutes, Relating to the Authority of Guardians of Persons over Twenty-one Years of Age.

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

Section nine of chapter sixty-nine of the Revised Statutes is hereby amended by inserting after the word "guardians" in the first line of said section, the following words, 'shall give notice of their appointment and make return thereof to the probate court in the manner provided by law relating to notices of appointment by executors and administrators. They,' so that said section as amended shall read as follows:

Ch. 69, Sec. 9, R. S., amended.

'Section 9. Such guardians shall give notice of their appointment and make return thereof to the probate court in the manner provided by law relating to notices of appointment by executors and administrators. They have the custody of the persons of their wards, if resident in the State, except so far as the court of probate may from time to time otherwise order; and every guardian appointed over any person for gambling, idleness, drinking or debauchery, shall inculcate upon him habits of sobriety and industry, and when of sufficient health and strength, with the approbation of the judge, may bind him out to labor, not exceeding six months at any one time, or employ him in his own service; giving credit for his earnings, or such sum as he receives therefor.'

Guardians shall give notice of appointment.

Rights and duties of guardians defined.

—may bind out to labor.

Approved March 11, 1915.

**Chapter 81.**

An Act to Amend Section Seventeen of Chapter Seventy-seven of the Revised Statutes, Relating to Proceedings if Husband and Wife Refuses to Release Interest in Real Estate.

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

Section seventeen of chapter seventy-seven of the Revised Statutes is hereby amended by inserting after the word "descent" in the third line of said section, the following words, 'or if the owner is a non-resident and the husband or wife is incapacitated and has no guardian in this State,' so that said section as amended shall read as follows:

Ch. 77, Sec. 17, R. S., amended.

'Section 17. If the owner of real estate contracts to sell the same, and the husband or wife of the owner refuses to release his or her interest and right by descent, or if the owner is a non-resident and the husband or wife is incapacitated and has no guardian in this State, the owner may apply to a justice of

Refusal of husband or wife to release.

Justice may order sale.

CHAP. 82

the Supreme Judicial or Superior court, who, after such notice to the other party as he may order, and hearing, may, in his discretion, approve the sale and price, and order the owner to pay to the clerk of court, for such husband or wife of the owner, such sum as would amount to one-third of the price approved, if the owner has issue, and one-half if he has no issue, at the expiration of the owner's expectancy of life, computed at three per cent, compound interest. The clerk shall give a certificate of such approval by the court, and of the fact that said money has been paid as aforesaid, to be filed with the register of deeds in the county or registry district where the land lies, with the owner's deed thereof, and such register shall record the same; and thereafter such interest or right by descent in such real estate, shall be barred. An assignee for the benefit of creditors, or in insolvency, or a trustee in bankruptcy, or any person holding title by levy or sale on execution may make application for proceedings under this section in relation to any real estate held by him in such capacity, to bar the interest and right by descent therein, of the husband or wife of the assignor, insolvent or bankrupt, or the interest and right by descent therein of the husband or wife of the judgment debtor.'

—settle-  
ment be-  
tween hus-  
band and  
wife, how  
made.

—filling of  
certificate  
of facts.

Relating to  
satisfying  
of claim by  
an assignee.

Approved March 11, 1915.

**Chapter 82.**

An Act to Amend Section Four of Chapter Sixty-five of the Revised Statutes, Relating to Proceedings of Judges of Probate in Vacation.

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

Section four of chapter sixty-five of the Revised Statutes is hereby amended by adding thereto the following sentence, 'Judges of probate may also approve bonds and issue commissions, in vacation,' so that said section, as amended, shall read as follows:

'Section 4. Judges of probate shall have certain fixed days and places for holding their courts, and making and publishing their orders and decrees, where no express provision is made by law; such days shall be made known by public notifications thereof in their respective counties; and all matters requiring public notice shall be made returnable thereto; they may adjourn their courts to any time not beyond the next regular day, and appoint special courts when necessary; and in case of the absence of the judge or vacancy in the office at the time of holding any court, the register may, by posting notice thereof at the probate office, adjourn the same until the judge can

Ch. 65, Sec.  
4, R. S.,  
amended.

Public noti-  
fication of  
probate  
sessions.

—adjourn-  
ment, when  
and how to  
take place.