

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.

Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Eighth Legislature

1917

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CHAP. 193

of deeds shall record such affidavit and note on the margin of the record of the original mortgage, the place of the record of such affidavit, and the fee for recording such affidavit shall be the same as the recording of a certificate of foreclosure; but the fact that the register does not note the record of said affidavit on the margin of the record of the original mortgage, shall not invalidate the foreclosure proceedings. Any person, persons, firm or corporation knowingly or wilfully making a false affidavit or a false statement therein, shall be liable in damages in an action on the case to any party, or the assigns or legal representatives of any party sustaining damages thereby.'

Sec. 4. Provisions not retroactive. This act shall not apply to any mortgage on which foreclosure proceedings have been commenced at the time this act goes into effect.

Approved April 6, 1917.

Chapter 193.

An Act to Amend Chapter Seventy-six of the Revised Statutes, Relating to Sales of Real Estate by License of Court.

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

R. S., c. 76, § 1, par. IV., relating to sale of real estate of incapacitated wife, by license of court. Paragraph four of section one of chapter seventy-six of the revised statutes is hereby amended by adding the following sentence: 'For the purposes of this section an insane husband or wife who has been committed to an asylum for insane persons, within the State of Maine, shall be deemed to remain a resident of the county in which he or she had a residence at the time he or she was committed, so long as he or she shall remain in such an asylum by virtue of such commitment,' so that said paragraph as amended shall read as follows:

'IV. Residence of insane husband or wife not relinquished by commitment for purposes of this section. Of a husband or guardian of an incapacitated wife resident in the county, to sell, on such terms and conditions as the judge thinks proper, for a sufficient consideration, any real estate held by him in right of his wife, or any of her right and interest by descent in any real estate owned by him; and of the guardian of an incapacitated husband, resident in the county, to sell in like manner, the right and interest by descent, of such ward, in any real estate owned by his wife. For the purposes of this section an insane husband or wife who has been committed to an asylum for insane persons, within the State of Maine, shall be deemed to remain a resident of the county in which he or she had a residence at the time he or she was committed, so long as he or she shall remain in such an asylum by virtue of such commitment.'

Approved April 6, 1917.