

MAINE STATE LEGISLATURE

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(NEW DRAFT)

EIGHTIETH LEGISLATURE

SENATE

NO. 174

In Senate, March 30, 1921.

Reported by Mr. Thompson from Committee on Legal Affairs and laid on table to be printed under joint rules.

L. ERNEST THORNTON, Secretary.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT to Amend Section One of Chapter Seventy-six and Paragraph Four of Said Section of the Revised Statutes Relating to the Sales of Real Estate by License of Court.

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

Section 1. Section one of chapter seventy-six of the revised statutes is hereby amended by inserting after the word "sale" in the third line thereof the word 'mortgage' so that said section, when amended, shall read as follows:

'Section 1. Sale, lease or exchange of real estate, when to be licensed. R. S. c. 73, sec. 1. 1905, c. 5, 1913, c. 90. Judges of probate, in the counties where the applicants hereinafter named were appointed, may license the sale, mort-

5 gage, lease or exchange of real estate and any interests
6 therein, in whatever county situated, in the following cases,
7 on application:’

Sect. 2. Paragraph four of section one of chapter seventy-
2 six of the revised statutes is hereby amended by inserting
3 after the word “sell” in the second line thereof the words
4 ‘or mortgage,’ so that said paragraph, when amended, shall
5 read as follows:

‘IV. Of a husband or guardian of an incapacitated wife
2 resident in the county, to sell or mortgage, on such terms
3 and conditions as the judge thinks proper, for a sufficient
4 consideration, any real estate held by him in right of his
5 wife, or any of her right and interest by descent in any real
6 estate owned by him; and of the guardian of an incapac-
7 itated husband, resident in the county, to sell in like man-
8 ner, the right and interest by descent, of such ward, in any
9 real estate owned by his wife.’