

MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 1334

H. P. 941

House of Representatives, March 20, 1957.

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Earles of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Appointment of Guardians for Adults Residing Out of the State.

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

R. S., c. 158, § 4, amended. Section 4 of chapter 158 of the Revised Statutes is hereby amended to read as follows:

Sec. 4. Appointment of guardians for adults. The judge of probate may appoint guardians to the following persons resident in his county, or resident out of the State, ~~being under foreign guardianship or conservatorship~~ and having estate in his county, although over 21 years of age, on written application of any of their friends, relatives or creditors or of the municipal officers or overseers of the poor of the town where they reside; but when the judge is interested, either in his own right, in trust or in any other manner, or is within the 6th degree of kindred, said application shall be made to and such appointment shall be made by the judge in any adjoining county and the record of said appointment shall show why it was so made:

I. All persons, including those insane or of unsound mind and married women who, by reason of infirmity or mental incapacity, are incompetent to manage their own estates or to protect their rights;

II. Persons who, by excessive drinking, gambling, idleness or debauchery of any kind, have become incapable of managing their own affairs, or who so spend or waste their estate as to expose themselves or families to want or suffering or their towns to expense;

III. Convicts committed to the State Prison for a term less than for life.

The judge may, on said application, appoint the husband or wife of such a person to be his or her guardian.'