

MAINE STATE LEGISLATURE

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N I N E T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 79

H. P. 57

House of Representatives, January 20, 1959.

Referred to the Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Berman of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

**AN ACT Relating to Sale or Mortgage of Real Estate of Husband
Under Guardianship.**

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

R. S., c. 163, § 1, sub-§ IV, amended. Subsection IV of section 1 of chapter 163 of the Revised Statutes, is amended to read as follows:

IV. Of a husband or guardian of an incapacitated wife, resident in the county, to sell or mortgage, 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 a wife or ~~the~~ guardian of an incapacitated husband, resident in the county, to sell ~~or mortgage~~ 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 subsection, an insane husband or wife who has been committed to an asylum for insane persons within this State 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 asylum by virtue of such commitment.'