

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

EIGHTH LEGISLATURE,

AT ITS

SESSION HELD IN JANUARY, 1828.

Published agreeably to the Resolve of the 20th June, 1820.

PORTLAND.

PRINTED BY THOMAS TODD.....PRINTER TO THE STATE.

1828.

CHAPTER CCCLXXIX.

AN additional ACT to provide for the packing and inspection of Pickled and Smoked Fish.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That, from and after the passing of this Act, it shall be the duty of the several inspectors of fish in this State to brand Shad barrelled as specified in the fourth section of an Act, passed the twenty-second day of March, one thousand eight hundred and twenty one, as follows, viz. those of the best quality, caught in the right season, to be most approved, and free from damage, having their tails cut off and back bones out, shall be branded "Cargo Mess"; those which remain after the best have been selected, being sweet and free from taint, rust or damage, with their back bones in, and tails on, shall be branded "Cargo No. 1"; and there shall be a third quality, which shall consist of the thinnest and poorest of those that are sweet and wholesome, which shall be branded "Cargo No. 2"; any thing contained in any Act to which this is additional, to the contrary notwithstanding.

[Approved by the Governor, February 2, 1828.]

CHAPTER CCCLXXX.

AN ACT authorizing Judges of Probate, in certain cases, to appoint Guardians to Married Women.

SECT. 1. Be it enacted by the Senate and House of Representatives, in Legislature assembled, That the Judges of Probate in the several counties in the State, shall have power to appoint guardians to married women whose husbands have absconded and gone out of the State without making sufficient provision for their support: Provided, Such married woman shall be and remain insane, non compos mentis, or lunatic, and incapable of taking care of herself and children.

Manner in which shad shall be branded.

In what cases Guardians to married women may be appointed.

Proviso.

SECT. 2. *Be it further enacted*, That such guardian shall be appointed by the Judge of Probate in the same manner, and subject to all the duties and liabilities to which guardians to idiots, lunatics, and persons *non compos*, are now, by law, subjected. How appointed.

SECT. 3. *Be it further enacted*, That from and after the passing of this act, whenever the guardian of any person *non compos mentis*, lunatic or distracted, or of any person given to excessive drinking, idleness, gaming, or debauchery, shall have obtained license from any Court empowered to grant the same, to sell the interest of his ward in any real estate held by him in right of his wife, it shall be lawful for her to join with such guardian in the sale and conveyance thereof, and all deeds of such real estate, duly executed by the said guardian and the wife of his said ward, and duly acknowledged and recorded, shall be good and valid, and pass and convey as complete a title therein to the purchaser as the husband and wife might or could have conveyed for a valuable and sufficient consideration, if he had been under no legal disability: *Provided nevertheless*, That whenever any agreement shall be entered into between such married woman and the guardian of such ward, as to the disposition of the proceeds of such sale or any part thereof, for her benefit, the Courts of Probate in the several counties, and the Supreme Court of Probate shall have power to enforce such agreement as a subject of trust, upon principles of equity. Wife of a person under guardianship may join with the guardian in the conveyance of real estate, in certain cases. Provide.

SECT. 4. *Be it further enacted*, That whenever any guardian as aforesaid, shall have obtained license to sell the real estate of his ward, and the wife of such ward shall release her dower therein to the purchaser, either by a relinquishment thereof in the deed of the guardian, or by any other deed, duly acknowledged and recorded, said release shall afterwards legally bar and exclude her from any dower or right of dower. Wife of such person may relinquish her dower.

[Approved by the Governor, February 2, 1828.]