

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-FOURTH LEGISLATURE

OF THE

S T A T E O F M A I N E ,

A. D. 1844.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

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1844.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1844.

CHAP. 116.

United States, during the pendency of said action, neither he nor his assignee shall be entitled to recover costs in said action.

[Approved March 21, 1844.]

Chapter 116.

AN ACT giving additional powers to judges of probate in certain cases.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Powers of judges of probate, relative to exchanging real estate.

SECT. 1. Judges of probate, in their respective counties, shall have power, on the application of the guardians or friends of minors and other incapacitated persons, to authorize the guardians or some other suitable persons, to exchange any real estate or interest in real estate, belonging to such minors or other incapacitated persons, for other real estate, or interest in real estate, when it shall appear that such exchange would be for the benefit of such minors or other incapacitated persons.

Duties of guardians or persons authorized to effect such exchange.

SECT. 2. The guardians or persons so authorized, shall give bond to the judge of probate granting the authority, and make oath that in the execution of the trust, they will act faithfully and impartially, according to their best skill and judgment; and similar notice shall be given before such authority is granted and such other steps shall be taken, as are required in the case of sales of real estate, as provided in the one hundred and twelfth chapter of the revised statutes.

[Approved March 21, 1844.]

Chapter 117.

AN ACT to secure to married women their rights in property.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Married women may become possessed of property.

SECT. 1. Any married woman may become seized or possessed of any property, real or personal, by direct bequest, demise, gift, purchase or distribution, in her own name, and as of her own property; provided, it shall be made to appear by such married woman, in any issue touching the validity of her title, that the same does not in any way come from the husband after coverture.

Shall hold their property after marriage.

SECT. 2. Hereafter, when any woman possessed of property, real or personal, shall marry, such property shall continue to her

notwithstanding her coverture, and she shall have, hold and possess the same, as her separate property, exempt from any liability for the debts or contracts of the husband.

CHAP. 118.

SECT. 3. Any married woman possessing property by virtue of this act, may release to the husband the right of control of such property, and he may receive and dispose of the income thereof, so long as the same shall be appropriated for the mutual benefit of the parties.

May be controlled by husband.

[Approved March 22, 1844.]

Chapter 118.

AN ACT relating to divorces.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Chapter eighty-nine of the revised statutes of this state, shall not be so construed as to give the supreme judicial court, jurisdiction, in case of desertion, where the desertion commenced in another state, unless the party making the application, shall have been a citizen of this state, at least one year during such desertion, prior to making such application, and such desertion shall have continued for five years from its commencement aforesaid ; and, in such cases, said court shall have jurisdiction.

Construction of ch. 89, R. S., relative to the jurisdiction of S. J. C.

[Approved March 22, 1844.]

Chapter 119.

AN ACT altering the times of holding the stated sessions of the county commissioners, for the county of Hancock.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. From and after the passage of this act, the stated meetings of the county commissioners, for the county of Hancock, shall be holden at Ellsworth, in said county, on the fourth Tuesday of April and third Tuesday of October, in each year, instead of the times now established by law for such meetings.

Times of meeting of the county commissioners for the county of Hancock.

SECT. 2. All acts and parts of acts, inconsistent with the provisions of this act, are hereby repealed ; and this act shall take effect from and after its approval.

[Approved March 22, 1844.]