

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

nineteen hundred and three, and such provision is waived as aforesaid, such widow or widower shall have and receive the same share of the real estate and the same distributive share of the real and personal estate of such testator or testatrix as is provided by law in intestate estates. When no provision is made for his widow in the will of a testator who died after April twenty-sixth, eighteen hundred and ninety-seven, or for her widower in the will of a testatrix, who died after June one, nineteen hundred and three, such widow or widower shall likewise have and receive the same share in the real estate and the same distributive share of the personal estate of such testator or testatrix as is provided by law in intestate estates, provided such widow or widower shall within six months after the probate of such will, file in the probate court written notice that she or he claims such share of the real and personal estate of such testator or testatrix. Any notice filed under the provisions of this section shall be recorded by the register of probate in the record books of the probate court where such notice is filed, but a failure to record such notice shall not in any way affect the rights of any widow or widower.'

—waiving, to have share of personal estate.

—when no provision is made, shall have share of personal estate.

—notice shall be recorded by register of probate.

Approved April 2, 1909.

Chapter 261.

An Act to amend Section fifteen of Chapter four of the Revised Statutes, relating to the Election of Road Commissioner.

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

Section fifteen of chapter four of the revised statutes is amended by striking out the words "fill out the unexpired term" in the fifth line of said section and inserting in place thereof the words 'serve as road commissioner until the next annual meeting,' so that said section as amended shall read:

Section 15, chapter 4, R. S., amended.

'Section 15. If a person elected as road commissioner fails to qualify before the first Monday of April, the office shall be deemed vacant, and shall be filled by the selectmen by appointment; and in the event of a vacancy caused by death or otherwise, the selectmen shall appoint some competent person to serve as road commissioner until the next annual meeting, who shall qualify and perform the duties of said office. If a town fails to elect a road commissioner at its annual meeting, the money raised and assessed for the repair of bridges and ways as provided by section seventy of chapter twenty-three shall be expended for that purpose by the selectmen; if after the choice of any officer not required to be chosen by ballot, there is a vacancy in any such

Commissioner failing to qualify, selectmen to appoint.

—in case of vacancy.

—on failure to elect commissioner, selectmen shall act.

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—municipal officers may appoint certain officers.

—appointments to be recorded.

office, the municipal officers may fill such vacancies by the written appointment of proper persons, who shall be summoned by the constable to appear and take the oath of office provided in section twenty-five subject to the penalties provided in section twenty-six. Such appointment and oath shall be recorded as in case of a choice by the town. No person shall be so appointed without his consent.'

Approved April 2, 1909.

Chapter 262.

An Act to authorize Cities and Towns to permit the use of Lunch Wagons on public ways.

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

Lunch wagons, license of.

Section 1. The mayor and aldermen of any city, or selectmen of any town, may, if in their opinion public convenience so requires, license any reputable person upon the payment of an annual license fee, to be fixed by said licensing authority, to maintain a vehicle for the sale of food in such part of any public way and during such hours as the licensing authority may designate, provided that public travel is not incommoded thereby, and no other or further license shall be required for this purpose. Any such license may be revoked, for reasonable cause, at any time, by the licensing authority.

—license may be revoked.

When license shall not be granted.

Section 2. No license, as aforesaid, shall be granted to use any part of any public way the fee in which is not owned by the city or town, against the objection of the owners of the land abutting on that part of the way.

Approved April 2, 1909.

Chapter 263.

An Act to authorize Courts to suspend or continue for Sentence on Probation, and to provide for the Appointment of Probation Officers.

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

Probation officers, appointment of.

—tenure, and compensation.

Section 1. The governor, by and with the consent of the council, shall on recommendation of the county commissioners of any county appoint therein one probation officer, who shall be a male citizen of the county in which he is appointed and of good moral character, who shall hold office during the pleasure of such governor and council, and who shall receive as his compensation such sum as the county commissioners of his county shall fix, which shall be paid out of the county treasury in equal