

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

**1913**

Including Acts and Resolves of the Special Session held  
in 1912.

---

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

---

AUGUSTA  
KENNEBEC JOURNAL PRINT  
1913

---

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth  
Legislature

*1913*

---

mined by the court upon the acceptance of the report, and shall be paid as follows: If the court is of the opinion that such fees and expenses, or some portion of the same, ought to be paid by the county then the amount thereof to be paid by the county, whether the whole or a part, shall be fixed and determined by the court and the amount so fixed and determined shall be paid by the county on presentation of the proper certificate of the clerk of courts for that county. If the court is of the opinion that the whole or any part or portion of such fees and expenses should be paid by the parties to the suit or action, or by either of such parties, then the court may fix and determine the amount to be paid by such parties, or by either of such parties, and the parties shall be liable to the surveyor in an action of money had and received for the amount to be paid by them jointly, and each of the parties shall likewise be liable to the surveyor in the same kind of an action for the amount to be severally paid.'

CHAP. 8

—fees, how paid.

—court may determine amount to be paid by parties.

Approved February 14, 1913.

### Chapter 8.

An Act to Amend Section Two of Chapter Sixty-two of the Revised Statutes as Amended by Chapter One Hundred and Forty-eight of the Public Laws of Nineteen Hundred and Seven, Relating to Divorce Proceedings.

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

Section 1. Section two of chapter sixty-two of the Revised Statutes as amended by chapter one hundred and forty-eight of the Public Laws of nineteen hundred and seven is hereby amended by striking out after the word "treatment" in the eighth line of said section two as amended by said chapter one hundred and forty-eight, the words "insanity, when in consequence thereof the libellee has been committed to and confined in a state asylum for the insane for fifteen consecutive years next prior to the filing of the libel and is found to be incurable" and also by striking out all of the words in the last paragraph of said section two as amended by said chapter one hundred and forty-eight, except the words "Either party may be a witness," so that said section two as hereby amended, shall read as follows:

Section 2, chapter 62, R. S., as amended by chapter 148, P. L. of 1907, further amended.

'Section 2. A divorce from the bonds of matrimony may be decreed by the supreme judicial court in the county where either party resides at the commencement of proceedings, for causes of adultery, impotence, extreme cruelty, utter desertion continued for three consecutive years next prior to the filing of

Causes for which divorce may be decreed.

**CHAP. 9** the libel, gross and confirmed habits of intoxication from the use of intoxicating liquors, opium or other drugs, cruel and abusive treatment, or on the libel of the wife, where the husband being of sufficient ability or being able to labor and provide for her, grossly or wantonly and cruelly refuses or neglects to provide suitable maintenance for her; provided, that the parties were married in this state or cohabited here after marriage, or if the libellant resided here when the cause of divorce accrued, or had resided here in good faith for one year prior to the commencement of proceedings, or if the libellee is a resident of this state. But when both parties have been guilty of adultery, or there is collusion between them to procure a divorce, it shall not be granted. Either party may be a witness.'

—proviso.

—exception.

—either party may be a witness.

Act shall not affect already instituted proceedings.

Section 2. This Act shall not affect divorce proceedings, instituted because of insanity of the libellee, which are pending at the time this Act takes effect.

Approved February 14, 1913.

### Chapter 9.

An Act to Change Name of the Maine Insane Hospital.

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

Name changed to Augusta State Hospital.

Section 1. The name of the Maine Insane Hospital located at Augusta, Maine, is hereby changed to the Augusta State Hospital and the trustees of the Augusta State Hospital shall have all the rights, powers, privileges, property, duties and responsibilities which belong to the Trustees of the Maine Insane Hospital.

Approved February 14, 1913.

### Chapter 10.

An Act to Amend Section Sixty-five of Chapter Four, Revised Statutes, Relating to Burial of Honorably Discharged Soldiers and Sailors.

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

Section 65, chapter 4, R. S., amended.

Section 1. Section sixty-five of chapter four of the Revised Statutes is hereby amended by adding after the word "rebellion" in the seventh line thereof, the words 'or in the war with Spain' so that said section as amended, shall read as follows:

Burial expenses of destitute soldier or sailor to be paid by state.

'Section 65. Whenever any person who served in the army, navy or marine corps of the United States during the war of eighteen hundred and sixty-one, or during the war with Spain, and was honorably discharged therefrom, shall die, being at