

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fifth Legislature

OF THE

STATE OF MAINE

1931

Published by the Secretary of State, in conjunction with the Revisor of Statutes
in accordance with the Resolves of the Legislature, approved June 28, 1820,
March 18, 1840, March 16, 1842, and an Act of August 6, 1930.

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE
1931

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-fifth Legislature

1931

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Chapter 3.

AN ACT Relative to the Organization of Corporations Without Capital Stock.

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

R. S., c. 70, sec. 2; relating to notice of meeting; amended. Section two of chapter seventy of the revised statutes is hereby amended by adding thereto the following:

'If all the signers of the application to the justice of the peace shall in writing waive notice and fix a time and place of such meeting, no notice or publication shall be necessary. All prior organizations under this chapter at which all the signers of the application to the justice of the peace waived notice and fixed a time and place for meeting are hereby legalized,' so that said section as amended shall read as follows:

'Sec. 2. Waiver of notice of meeting. Such applicant may call it, by reading the warrant in the presence and hearing of each, or by leaving an attested copy thereof at his last and usual place of abode, at least fourteen days before the day of meeting, or by publishing an attested copy thereof in some newspaper printed in said county, for two weeks successively, the first publication to be at least fourteen days before the day of meeting. If all the signers of the application to the justice of the peace shall in writing waive notice and fix a time and place of such meeting, no notice or publication shall be necessary. All prior organizations under this chapter at which all the signers of the application to the justice of the peace waived notice and fixed a time and place for meeting are hereby legalized.'

Approved February 19, 1931.

Chapter 4.

AN ACT Relating to Jury Trial in Divorce Proceedings.

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

R. S., c. 73, sec. 8; relating to jury trial; amended. Section eight of chapter seventy-three of the revised statutes is hereby amended by striking out the first sentence thereof and substituting the following therefor:

'Whenever, in a hearing on a libel for divorce, any question of fact arises which may properly be submitted to a jury, issues may be framed for that purpose, under the direction of the presiding justice, and the find-

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ings of a jury thereon shall have the same force and effect as similar findings in probate appeals.'

So that said section as amended shall read as follows:

'Sec. 8. When libel for divorce may be submitted to jury. Whenever, in a hearing on a libel for divorce, any question of fact arises which may properly be submitted to a jury, issues may be framed for that purpose, under the direction of the presiding justice, and the findings of a jury thereon shall have the same force and effect as similar findings in probate appeals. All libels for divorce shall be in order for hearing at the first or return term, provided service of said libel has been made in accordance with this chapter not less than sixty days before said return term.'

Approved February 19, 1931.

Chapter 5.

AN ACT Relating to Residence of Libelee in Divorce Proceedings.

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

R. S., c. 73, sec. 4, relating to libelee's residence to be named in libel, when known; amended. Section four of chapter seventy-three of the revised statutes is hereby amended by adding after the word "order" in the fourth line of said section the following words: 'When a libel is inserted in a writ of attachment, as provided in the preceding section, the residence of the libelee shall be regarded as named in the libel if such residence is named in the writ, and for this purpose the libel and the writ together shall be regarded as constituting the libel', so that said section as amended shall read as follows:

'Sec. 4. Residence of libelee if named in writ. When the residence of the libelee can be ascertained, it shall be named in the libel and actual notice shall be obtained; if the libelee is out of the state, notice shall be given in such manner and by such means as the court may order. When a libel is inserted in a writ of attachment, as provided in the preceding section, the residence of the libelee shall be regarded as named in the libel if such residence is named in the writ, and for this purpose the libel and the writ together shall be regarded as constituting the libel. When the residence of the libelee is not known to the libelant, and cannot be ascertained by reasonable diligence, the libelant shall so allege under oath in the libel. Where notice by publication is ordered upon any libel which sets out adultery as a ground for divorce the name of any alleged paramour of the libelee, if set out in the libel, shall be omitted from the published