

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninetieth and Ninety-first
Legislatures
OF THE
STATE OF MAINE
From April 26, 1941 to April 9, 1943
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

original sentence. If the cause had been continued for sentence, the justice of said court may, either in term or in vacation, impose sentence, or to any justice of said court in vacation. The respondent may at any time be brought by the probation officer before said court or any justice thereof in vacation, and the said court or said justice thereof in vacation, cause being shown, may order said probation ended and either impose the sentence if the cause has been continued for sentence, or order the respondent forthwith to comply with the original sentence, or if it shall be made to appear to the satisfaction of said court, or to any justice thereof in vacation, as the case may be, that the ends of justice and the best interests of the public, as well as the respondent, will be subserved thereby, may order that probation be ended and that the respondent be allowed to go without day.'

Effective July 9, 1943

Chapter 4

AN ACT Relating to Sale of Lands of Deceased Persons.

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

Sec. 1. R. S., c. 89, § 1, sub-§ I, amended. Subsection I of section 1 of chapter 89 of the revised statutes is hereby amended to read as follows:

'I. If he leaves a widow and issue, $\frac{1}{3}$ to the widow. If no issue, $\frac{1}{2}$ to the widow. And if no kindred, the whole to the widow. And to the widower shall descend the same shares in his wife's real estate. There shall likewise descend to the widow or widower the same share in all such real estate of which the deceased was seized during coverture, and which has not been barred or released as herein provided. In any event, $\frac{1}{3}$ shall descend to the widow or widower free from payment of debts, except as provided in section 21 of chapter 85, as amended.'

Sec. 2. R. S., c. 85, § 21, amended. Section 21 of chapter 85 of the revised statutes is hereby amended to read as follows:

'Sec. 21. What estate of deceased is liable to sale; effect of deed. Lands, of which the deceased died seized in fee simple or fee tail, general or special, and all that he had fraudulently conveyed, or of which he was colorably disseized to defraud creditors, are liable to sale for payment of debts, under any license granted under this chapter; and any deed, executed and recorded in due form of law, for adequate consideration, in pursuance of such license, is effectual to pass to the purchaser all the estate, right, title and interest in the granted premises, which the deceased, ~~the ward, or~~

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other person on whose account the license was granted, might convey by a like deed, if living and not incapacitated had therein, free from the right of descent of the widow or widower. The executor or administrator shall pay to the widow or widower $\frac{1}{3}$ of the sale price thereof in lieu of the $\frac{1}{3}$ interest in such real estate which descended to such party free from the payment of debts. Such widow or widower shall be given such personal notice of the proposed sale as the court may order.'

Effective July 9, 1943

Chapter 5

AN ACT Increasing the Limit of the Temporary Loan Authorized for Washington County.

Emergency preamble. Whereas, the present amount which Washington county commissioners may raise by temporary loan is not sufficient to carry on the business of the county, and

Whereas, it is necessary to borrow by temporary loan immediately in order to carry on the business of the county, and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., c. 92, § 21, amended. Section 21 of chapter 92 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 21. County commissioners may provide for temporary loans. The county commissioners of Cumberland, Washington and Kennebec counties may, without obtaining the consent of their respective counties, raise, by temporary loan to be paid within 1 year from the time when the same is contracted out of money raised during the current year by taxes, sums not exceeding \$175,000, \$75,000 and \$50,000 respectively in any year for use of their respective counties and cause notes or obligations of their respective counties with coupons for lawful interest to be issued for payment thereof as aforesaid. The county commissioners of each and every other county may without obtaining the consent of their county raise by temporary loans to be paid within 1 year from the time when the same is contracted out of