

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
AS PASSED BY THE  
Ninety-first and Ninety-second  
Legislatures  
OF THE  
STATE OF MAINE

From April 10, 1943 to April 21, 1945  
AND MISCELLANEOUS STATE PAPERS  
From April 10, 1943 to May 24, 1945

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Published by the Revisor of Statutes in accordance  
with Chapter 10 of the Revised Statutes of 1944.

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KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1945

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Ninety-second Legislature

**1945**

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letters "Dr." to his name when accompanied by the word "Osteopath", or any member of the Maine state chiropractors' association or any chiropractor duly licensed by this state may prefix the title "Doctor" or the letters "Dr." to his name when accompanied by the word "Chiropractor".'

Effective July 21, 1945

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## Chapter 18

### AN ACT Providing for the Proof of Wills Where Subscribing Witnesses Are Unavailable, By Reason of Service in the Armed Forces of the United States.

**Emergency preamble.** Whereas, a state of war now exists between the United States and the Axis Allies; and

Whereas, many soldiers, sailors and merchant seamen did not have time to execute wills before civilian witnesses and were obliged to execute them before military witnesses; and

Whereas, in the event of death of the testator it is often impossible to have such wills proved and allowed; 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. 141, § 7-A, additional.** Chapter 141 of the revised statutes is hereby amended by adding thereto a new section to be numbered 7-A, to read as follows:

**'Sec. 7-A. Proving wills when subscribing witnesses in armed forces.** When it appears to the judge that a will offered for probate was executed before witnesses who at the time they subscribed their names thereto were serving in or present with the armed forces of the United States or as merchant seamen, and that such will cannot be proved as otherwise provided by law because one or more or all of the subscribing witnesses to the will, at the time the will is offered for probate, are serving in or present with the armed forces of the United States or as merchant seamen, or

are dead or mentally or physically incapable of testifying or otherwise unavailable, the judge may decree the probate of such will upon the testimony in person or by deposition of at least 2 credible disinterested witnesses that the signature to the will is in the handwriting of the person whose will it purports to be, or upon other sufficient proof of such handwriting. The foregoing provision shall not preclude the judge, in his discretion, from requiring in addition, the testimony in person or by deposition of any available subscribing witness, or proof of such other pertinent facts and circumstances as the judge may deem necessary to decree the probate of such will. When such will is proved and allowed, it shall have the same force and effect as a will proved and allowed as otherwise provided by law.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective March 2, 1945

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## Chapter 19

### AN ACT Relating to the Expense Fund of the State Employees' Retirement System.

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

R. S., c. 60, § 13, sub-§ V, amended. Subsection V of section 13 of chapter 60 of the revised statutes is hereby amended to read as follows:

'V. Expense fund. The expense fund shall be the fund to which shall be credited all money provided by the state to pay the administration expenses of the retirement system, and from which shall be paid all the expenses necessary in connection with the administration and operation of the system. Biennially the board of trustees shall estimate the amount of money which shall be deemed necessary to be paid into the expense fund during the ensuing biennium to provide for the expenses of operation of the retirement system, and such amount shall be paid by the state to the expense fund for this purpose. Any unexpended balance at the end of each fiscal year shall lapse to the general fund.'

Effective July 21, 1945