

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Ninety-fifth Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 26 of chapter 9 of the Revised Statutes of 1944.

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KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1951

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-fifth Legislature

**1951**

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anyone so far restored that his comfort and safety, and that of the public, no longer require his confinement; except in such cases where the patient has been transferred to said hospital from some penal or correctional institution, and the original sentence under which he or she was committed to such institution has not expired; in which cases the patient shall be returned to that institution to serve the remainder of the sentence according to the provisions of the law; and the superintendent may transfer to the care and custody of relatives or friends of the patient applying therefor, on conditions to be fixed by the superintendent any such patient not held under sentence whom he is satisfied will be properly cared for by the person making such application.

Any patient deemed by the superintendent not suitable for care in a mental hospital shall, upon the request of the superintendent, be removed forthwith from either state hospital by the municipal officers of the city or town from which he was so admitted, and, if he is not so removed, the city or town from which he was so admitted shall be liable to the state for all reasonable expenses incurred on account of the patient.'

Effective August 20, 1951

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## Chapter 375

### AN ACT Relating to Rights of Married Persons.

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

Sec. 1. R. S., c. 155, § 1, amended. Section 1 of chapter 155 of the revised statutes is hereby amended to read as follows:

'Sec. 1. Will, by whom and how to be made. A person of sound mind and of the age of 21 years and a married ~~woman~~ ~~or~~ person, widow or widower of any age may dispose of his real and personal estate by will, in writing, signed by him, or by some person for him at his request and in his presence, and subscribed in his presence by 3 credible attesting witnesses, not beneficially interested under said will.'

Sec. 2. R. S., c. 153, § 35, amended. Section 35 of chapter 153 of the revised statutes is hereby amended to read as follows:

'Sec. 35. Rights of married persons to hold and dispose of property; exceptions. A married ~~woman~~ person, widow or widower, of any age, may own in his or her own right real and personal estate acquired by descent, gift or purchase; and may manage, sell, convey and devise the

same by will, without the joinder or assent of ~~her~~ husband or wife; but such conveyance without the joinder or assent of the husband or wife shall not bar his or her right and interest by descent in the estate so conveyed. Real estate directly conveyed to ~~her~~ a wife by her husband cannot be conveyed by her without the joinder of her husband except real estate conveyed to her as security or in payment of a bona fide debt actually due to her from her husband. When payment was made for property conveyed to her from the property of her husband, or it was conveyed by him to her without a valuable consideration, it may be taken as the property of her husband to pay his debts contracted before such purchase.'

Effective August 20, 1951

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## Chapter 376

### AN ACT Relating to Prevention of Subversive Activity.

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

R. S., c. 130, § 3-A, additional. Chapter 130 of the revised statutes is hereby amended by adding thereto a new section to be numbered 3-A, to read as follows:

#### 'Subversive Activity

Sec. 3-A. Advocating or aiding in overthrow of government by force or violence forbidden; penalty. Any person who advocates, aids or takes any active part in the overthrow by force and violence of the government of the United States or the state of Maine or any political subdivision thereof is guilty of a felony and, upon conviction thereof, shall be punished by imprisonment in the state prison for not more than 5 years, or by a fine of not more than \$5,000, or by both such fine and imprisonment.'

Effective August 20, 1951

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## Chapter 377

### AN ACT Relating to the Post-Audit of Maine Forestry District and Maine Port Authority.

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

R. S., c. 16, § 3, sub-§ V, amended. Subsection V of section 3 of chapter 16 of the revised statutes, as amended, is hereby further amended to read as follows: