

L13.3:157-18/3/add.

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# MAINE

## Addendum to

### WOMEN'S BUREAU BULLETIN 157-18 (REVISED)—THE LEGAL STATUS OF WOMEN IN THE UNITED STATES OF AMERICA, REPORT FOR MAINE AS OF JANUARY 1, 1958

Revised as of May 1, 1964<sup>1</sup>

This addendum, used with the Report for Maine, presents a digest of the constitutional provisions and statutes affecting the legal status of women in Maine as of May 1, 1964. The CONTENTS list shows which topics have been changed by enactments since January 1, 1958, and should be consulted before reading the related topic in the Report.

### CONTENTS

Topic	1958 Report page
2. Contractual powers of a minor-----	1
5. Contractual powers of a married woman-----	3
7. Liability for family support-----	3, 4
11. Damages for injury to person, property, or character-----	4, 5
12. Damages for injury by spouse to person or property-----	5
22. Annulment -----	8
23. Divorce -----	9
25. Guardianship of a minor child-----	10
30. Domicile of a married woman-----	11
31. Public office—eligibility of women-----	11

### CHANGES

#### 2. Contractual powers of a minor

Page 1, after the third paragraph<sup>2</sup> insert:

A minor 16 years of age or over has full legal capacity to contract for loans and enter into other transactions for the purpose of furthering his higher education in the professional, educational, scientific, or literary fields. He has all the rights, powers, and privileges given under such contracts and is subject to the obligations of persons of full age (ch. 119, sec. 2).

A minor under 21 years of age, but not less than 15 years, shall be deemed competent to contract for life insurance upon the life of such

<sup>1</sup> Sources: Revised Statutes of Maine, 1954; Atlantic Reporter.  
<sup>2</sup> Paragraphs are counted from the top of the page.

minor or upon the life of any person in whom the minor has an insurable interest, for the benefit of the minor or such relatives as specified (ch. 60, sec. 161).

Any minor domiciled in this State who is not less than 18 years of age shall be deemed competent to contract for health insurance as defined, for the benefit of and payable to such minor, and to exercise and enjoy every right, privilege, and benefit provided by such contract, and to give a full and binding acquittance and discharge for any amounts payable by the insurance company under such contract, unless prior to payment there is notice of a guardian or a conservator of the minor's property (ch. 60, sec. 161-B).

Any minor domiciled in this State who has attained the age of 18 years shall be deemed competent to receive, and to give full acquittance and discharge for a single sum or for periodical payments of life insurance benefits not exceeding \$1,000 in any 1 year (ch. 60, sec. 161-A).

Whenever under any decree of a court with proper jurisdiction, a proper official shall have in his hands a sum not exceeding \$500 to be distributed or paid to any person under the age of 21 years who does not have a legal guardian, payment may be made directly to such minor. If such minor is 10 years of age, any receipt therefor shall be a sufficient voucher of payment, and a discharge and release of liability (ch. 166, sec. 21).

### **5. Contractual powers of a married woman**

Page 3, second paragraph: Change "imprisoned" to "arrested". Change "(ch. 160, sec. 38)" to "(ch. 166, sec. 38)".

### **7. Liability for family support**

Page 3, seventh paragraph: Delete, and insert:

Every man shall support his wife, child, and his parent when in need; and every woman shall support her child, husband, and her parent when in need (ch. 167-A, secs. 2, 3).

Page 3, last paragraph, first line: After "minor child" delete the comma and insert: "residing in the State, and being of sufficient ability or being able to labor and provide for them,".

Page 4, first line: Delete "necessaries purchased in her own name" and insert: "her debts contracted in her own name for any lawful purpose".

### **11. Damages for injury to person, property, or character**

Page 4, last paragraph, first line: Delete "suits at law or in equity" and insert "civil actions".

Page 5, after the first line insert:  
 , or she may prosecute such actions jointly with her husband. A husband may not settle or discharge such action or cause of action without the written consent of his wife. Neither of them can be arrested on a writ of execution, nor can the husband alone maintain an action respecting his wife's property

Page 5, first full paragraph, second line: After "female person more than 18 years of age" insert: "or a male person".

## 12. Damages for injury by spouse to person or property

Page 5, fourth full paragraph, first line: Delete "bill in equity" and insert "civil action".

## 22. Annulment

Page 8, third full paragraph, seventh and tenth lines: Change "libel" to "complaint".

## 23. Divorce

Page 9, third full paragraph: Delete, and insert:

Pending, or on making, an order of annulment or divorce, the court may make orders concerning the care, custody, and support of minor children, and with which parent they shall live (ch. 166, secs. 59, 70).

Page 9, fifth full paragraph, first line: After "granting" insert: an annulment or

### Alimony and maintenance

Page 9, sixth full paragraph, last sentence: Delete "also" and change "suit" to "alimony hearing".

Page 9, last paragraph, first line: Change "divorce" to "a divorce action".

Page 9, after last paragraph insert:

An order of the court for support of minor children may run against the father or mother, or both, in whole or in part, as the court in its discretion shall determine (ch. 166, sec. 70).

## 25. Guardianship of a minor child

Page 10, second paragraph: Change "(ch. 66, sec. 16)" to "(ch. 166, sec. 16)".

Page 10, after the third paragraph insert:

A parent of a minor between the ages of 7 and 17 years, living with the parent, is liable for damages to property or injuries to a person caused by the willful or malicious act of such minor, in an amount not exceeding \$250, if such minor would be liable as an adult. This

provision does not relieve the minor from personal liability for such damage or injury (ch. 166, sec. 22-A).

**30. Domicile of a married woman**

Page 11, first full paragraph: Delete, and insert:

A married woman may have separate residence for voting, office holding, or jury duty. Her residence for these purposes is determined as if she were single (ch. 3-A, sec. 25).

A married woman may acquire a separate domicile for a justifiable cause, one which can be made the basis for a judicial separation, but not necessarily a divorce.<sup>3</sup>

**31. Public office—eligibility of women**

Page 11, second full paragraph: Delete, and insert:

There are no restrictions based on sex. All candidates must adhere to provisions for voting and office holding as prescribed in ch. 3-A.

<sup>3</sup> *Albee's case* (1929), 128 Me. 126; 145 Atl. 742