

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

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 Acts approved
August 6, 1930 and April 2, 1931.

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

Chapter 259

AN ACT Permitting Blood Grouping Tests in Bastardy Proceedings.

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

R. S., c. 111, additional. Chapter 111 of the revised statutes is hereby amended by adding at the end thereof a new section to be numbered 12, and to read as follows:

'Sec. 12. Blood grouping tests. After return day, the court, in term time or vacation on motion of the respondent, shall order the complainant, her child, and the respondent to submit to 1 or more blood grouping tests to determine whether or not paternity of the respondent can be excluded, the specimens for the purpose to be collected and the tests to be made by duly qualified physicians and under such restrictions as the court shall direct, the expenses therefor, to be audited by the court and borne by the respondent. The results of such tests shall be admissible in evidence, but only in cases where exclusion is established. The order for such tests may also direct that the testimony of the examining physicians may be taken by deposition.'

Approved April 19, 1939.

Chapter 260

AN ACT Relating to State Aid for Academies.

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

Sec. 1. R. S., c. 19, § 105, ¶ II, amended. Paragraph II of section 105 of chapter 19 of the revised statutes, as amended by chapters 92 and 211 of the public laws of 1931, and by chapter 168 of the public laws of 1933, is hereby further amended to read as follows:

'II. For the purpose of placing the academies and institutions of the state which provide instruction beyond the secondary schools but less than 4 years of college, on an educational basis with definite financial aid, the commissioner of education, with the approval of the governor and council, is authorized to issue to such academies as come within the provision set up by the statutes, and in addition to the provisions above stated, and in the same manner, funds as follows: academies with an enrolment of from 20 to 40 pupils, \$20 per capita; 41 to 60 pupils, \$18 per capita; 61 to 80 pupils, \$16 per capita; 81 to 100 pupils, \$14 per capita; 101 to 150 pupils, \$12 per capita; 151 to 200 pupils, \$10 per capita; and over 200 pupils, \$5

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per capita; provided, when a slight increase in attendance would cause an institution to receive a reduced amount, the commissioner of education shall have authority to make an adjustment. In addition to the sums required for distribution on the above provision, the commissioner of education shall issue such amounts and to such institutions as may be directed by the legislature, but in no case shall the amounts distributed to the academies of the state, automatically or by resolve, exceed the amount provided herein, and there shall be appropriated annually \$85,000 to be deducted from the state school fund. It shall be the duty of the commissioner of education to furnish to the education committee of the legislature biennially, and at such times as it may require, a statement of the sums necessary for distribution under the provisions of this subdivision so that the legislature may know the amount available as an adjustment fund within the sum provided. Provided, the restrictions of sections 107, 108, 109 and 110 shall not apply to the distribution of the per capita allowances or the adjustment fund; provided, further, that only those academies that received state aid under the provisions of chapter 247 of the resolves of 1927 shall be eligible to share in the per capita allowance. Institutions having incomes of over \$2500 from invested funds shall not receive per capita allowance but may share in the adjustment fund.'

Sec. 2. Limitation. This act shall remain in force and effect for a period of 2 years only.

Approved April 19, 1939.

Chapter 261

AN ACT Relating to the Payment of Alimony.

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

Sec. 1. P. L., 1937, c. 155, repealed. Chapter 155 of the public laws of 1937 is hereby repealed.

Sec. 2. R. S., c. 73, § 6, amended. Section 6 of chapter 73 of the revised statutes is hereby amended to read as follows:

'**Sec. 6. Pending libel, wife's expenses to be paid by husband.** Pending a libel, the court or any justice thereof in vacation, may order the husband to pay to the clerk, for the wife, sufficient money for her defense or prosecution thereof, and to make reasonable provision for her separate support; enter such decree for the care ~~and~~, custody ~~and~~ support of the minor children as the court deems proper; and in all cases enforce obedience by appropriate processes on which costs shall be taxed as in other actions.'