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PART 5

MUNICIPAL SUPPORT OF THE POOR

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1251. Paupers, Settlements and Support	4451

CHAPTER 1251

PAUPERS, SETTLEMENTS AND SUPPORT

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§ 4451. Settlements

Settlements subjecting towns to pay for the support of persons on account of their poverty or distress are acquired as follows:

1. Married women; women over 21 years of age having no husband. A married woman has the settlement of her husband, if he has any in the State; if he has not, she shall be deemed to have no settlement in the State. A woman over 21 years of age, having no husband, shall acquire a settlement in a town by having her home therein for 5 consecutive years without receiving supplies as a pauper. When, in a civil action between towns involving the settlement of a pauper, it appears that a marriage was procured to change it by the agency or collusion of the officers of either town, or of any person having charge of such pauper under authority of either town, the settlement is not affected by such marriage. No derivative settlement is acquired or changed by a marriage so procured, but the children of such marriage and their descendants have the settlement which they would have had if no such marriage had taken place; and the same rule applies in all controversies touching the settlement of paupers between the town by whose officers a marriage is thus procured and any other town whether the person whose marriage

is thus procured is a pauper at the time of the marriage or becomes so afterwards.

1963, c. 414, § 108.

2. Legitimate children; divorce. Legitimate children have the settlement of their father, if he has any in the State; if he has not, they shall be deemed to have no settlement in the State. Children shall not have the settlement of their father acquired after they become of age and have capacity to acquire one. Minor children of parents divorced after July 12, 1929, if given into the custody of either parent by the decree of divorce, shall follow the settlement of the parent to whom custody is given; if custody is not given, such children shall follow the settlement of their father, unless emancipated.

3. No settlement by birth; illegitimate children. Children, legitimate or illegitimate, do not acquire a settlement by birth in the town where they are born. Illegitimate children have the settlement of their mother, but when the parents of such children born after March 24, 1864, intermarry, they are deemed legitimate and have the settlement of the father.

4. Division of town; set off and annexed; new towns. Upon division of a town, a person having a settlement therein and being absent at the time has his settlement in that town which includes his last dwelling place in the town divided. When part of a town is set off and annexed to another, the settlement of a person absent at the time of such annexation is not affected thereby. When a new town, composed in part of one or more existing towns, is incorporated, persons settled in such existing town or towns or who have begun to acquire a settlement therein and whose homes were in such new town at the time of its incorporation have the same rights incipient and absolute respecting settlement as they would have had in the town where their homes formerly were.

5. Minor as apprentice. A minor who serves as an apprentice in a town for 4 years, and within one year thereafter sets up such trade therein, being then of age, has a settlement therein.

6. Five successive years without pauper supplies. A person of age having his home in a town for 5 successive years without receiving supplies as a pauper, directly or indirectly, has a settlement therein.

7. Unincorporated places. A person having his home in an unincorporated place for 5 years without receiving supplies as a pauper and having continued his home there until the time of its

incorporation acquires a settlement therein. Those having homes in such places for less than 5 years before incorporation and continuing to have them there afterwards until 5 years are completed, acquire settlements therein.

R.S.1954, c. 94, § 1; 1963, c. 414, § 108.

§ 4452. Pauper supplies

To constitute pauper supplies, they must be applied for in case of adult persons of sound mind by such persons themselves or by some person by them duly authorized; or such supplies must be received by such persons or by some person authorized by them with a full knowledge that they are such supplies. All care, whether medical or otherwise, furnished to said persons is subject to the same rule.

R.S.1954, c. 94, § 2.

§ 4453. Settlements; retained and lost

Settlements acquired under existing laws remain until new ones are acquired or until lost under this section. Former settlements are defeated by the acquisition of new ones. Whenever a person of capacity to acquire a settlement, having a pauper settlement in a town, has lived or shall live for 5 consecutive years in any unincorporated place or places in the State, or 5 consecutive years outside of the town in which he has a settlement after August 1, 1926, without receiving pauper supplies from any source within the State, he and those who derive their settlement from him lose their settlement in such town. Whenever a person of capacity to acquire a settlement having a pauper settlement in any town in the State shall after April 29, 1893 live for 5 consecutive years beyond the limits of the State without receiving pauper supplies from any source within the State, he and those who derive their settlement from him shall lose their settlement in such town. The State shall be deemed to be liable for support of such persons. The settlement status of a person in the military or naval service of the United States or of a person who is an inmate of any asylum, penitentiary, jail, reformatory or other state institution shall not change during such period of service, confinement or imprisonment, but his settlement shall remain as it was at the time of the beginning of such service, confinement or imprisonment.

R.S.1954, c. 94, § 3.

§ 4454. Relief for persons losing settlements

Whenever a person having a pauper settlement in a town loses such settlement by virtue of section 4453, relief shall be furnished, and towns furnishing such relief shall be reimbursed by the State as provided in section 4468, in case of paupers having no legal settlement in the State. In case the existing derivative settlement of a person cannot be determined after a diligent effort and search by the municipality furnishing pauper supplies to said person, then said person shall be deemed to have no settlement in the State and the State shall be liable for the support of said person, provided, said derivative settlement which cannot be determined shall involve a period of more than 20 years or the 3rd generation and that the Commissioner of Health and Welfare and the Attorney General shall first be satisfied that the municipality furnishing the relief has made a diligent effort and search to establish the true legal settlement of said person.

R.S.1954, c. 94, § 4.

§ 4455. Notice to State of assistance

When relief is provided for paupers and other dependent persons having no settlement within the State under this chapter or any other provisions of law, the overseers of the poor of the municipality wherein such relief is provided shall give written notice within 90 days to the Department of Health and Welfare upon such blanks as may be prescribed by the commissioner. The State shall reimburse such municipality for the relief furnished to such an amount as the commissioner adjudges to have been necessarily expended therefor. In no case shall the State reimburse such municipality for any expense incurred in such case more than 90 days prior to the date of the receipt of the notice by the said department, unless it shall be proved to the satisfaction of the department that the said overseers were unable to determine the status of the paupers or other dependent persons until within 60 days of the date of the filing of their written notice. All claims for reimbursement in such cases shall be made up to and including the last day of each month of the year, covering all bills for assistance furnished during that month, and filed with the Department of Health and Welfare within a reasonable time thereafter.

R.S.1954, c. 94, § 5.

§ 4456. Children's home at Bath

No child acquires a pauper settlement in the City of Bath by reason of being an inmate of the State Military and Naval Children's Home.

R.S.1954, c. 94, § 8.

§ 4457. Limitations on acquiring pauper settlement

During the period that a person is supported in whole or in part by old age assistance or aid to the blind, he and those who derive their settlement from him shall not acquire or lose a pauper settlement nor be in the process of acquiring or losing a pauper settlement. Upon the termination of such old age assistance or aid to the blind, he shall again have the capacity to start to acquire or lose a pauper settlement, but until such time as he has acquired a new settlement or lost his old settlement, he and those who derive their settlement from him shall hold the settlement he had at the time of the receipt of such old age assistance or aid to the blind. During the period that a dependent child is receiving aid under the pertinent provisions of this Title, such dependent child and the parent from whom such child derives his settlement shall not acquire or lose a settlement.

R.S.1954, c. 94, § 9.

§ 4458. Duty of towns to relieve poor

Towns shall relieve persons having a settlement therein when, on account of poverty, they need relief.

R.S.1954, c. 94, § 11; 1957, c. 405, § 15.

§ 4459. Overseers' duties; employment of paupers or dependent persons

Overseers shall have the care of all paupers or persons dependent upon the town for their support residing in their town and cause them to be relieved and employed at the expense of the town. The town may direct their employment, whether said pauper or other dependent person has a settlement in their town or not. Nothing contained herein shall in any way diminish the liability of the town of settlement or of the State with respect to the reimbursement to the town of residence for supplies furnished to such pauper or dependent person. Overseers of the poor and all other officers having charge of the administration of pauper funds shall keep full and accurate records of the paupers fully supported,

the persons relieved and partially supported and the travelers and vagrants lodged at the expense of their respective towns, together with the amount paid by them for such support and relief; and shall annually make return of the number of such persons supported and relieved, with the cost, to the Department of Health and Welfare. Any person who refuses without lawful excuse to perform the employment directed by the town shall be punished by a fine of not more than \$20 or by imprisonment for not more than 90 days for each offense, or by both.

R.S.1954, c. 94, § 12.

§ 4460. Record of wages paid

Overseers of the poor of any municipality in this State may furnish any employer of labor, employing regularly 5 or more workmen, with a list containing the names of any persons receiving or applying for aid in such municipality and request that such employer furnish them with a statement of the earnings of the persons named on such list, in their employ, paid within one month immediately preceding the date on which said list was furnished. Such employer shall, within 10 days of the receipt of such list, furnish the overseers of the poor with a statement of the wages paid within one month immediately preceding the receipt of such list to all employees named therein. Any person, firm or corporation violating this section shall be punished by a fine of not more than \$15 for each offense.

R.S.1954, c. 94, § 13.

§ 4461. Delegation of duties; oath; bond

Overseers may authorize some person whom they shall designate to perform such of the duties imposed upon them by this chapter as they may determine. In cities and towns having a population of 10,000 or more the said overseers may designate more than one person to perform such duties. Before entering upon the performance of said duties, the person or persons so designated shall be sworn, and shall give bond to the town for the faithful performance thereof, in such sum and with such sureties as the overseers order.

R.S.1954, c. 94, § 14.

§ 4462. Auctions prohibited; contracts for support

Persons chargeable shall not be set up and bid off at auction either for support or service; but towns at their annual meetings,

under a warrant for the purpose, may contract for the support of their poor for a term not exceeding 5 years.

R.S.1954, c. 94, § 15.

§ 4463. Homes for poor and infirm; union farms

A town or 2 or more towns, by vote thereof, at an annual or special town meeting called for that purpose by an appropriate article in the warrant, may authorize the acquisition by purchase, lease or otherwise of land and buildings together with household furniture, farming tools, implements and equipment and livestock for the purpose of suitably, efficiently and humanely caring for the poor and infirm within their respective territorial limits, upon such terms as may be agreed upon by vote of the towns, or by contract of the municipal officers thereof after the votes of the towns have authorized such purchase or maintenance. Existing homes used for such dependents may be used as homes for dependents in towns making such union, when they so agree.

R.S.1954, c. 94, § 16.

§ 4464. Removal to union farm

In cases where such union town farms described in section 4463 are maintained, the rights of any town comprising a part of such union to remove its paupers to the union town farm shall be the same, whether said farm is located in the limits of said town or within the limits of some other town which has united for such purpose with said town.

R.S.1954, c. 94, § 17.

§ 4465. Joint board of overseers

The overseers of the poor of the towns comprising such a union described in section 4463 shall constitute a joint board of overseers, with the same authority over such union town farm and the inmates thereof as the overseers of the poor of a single town have over the separate farm and its inmates of such town. The joint board may choose a chairman and a secretary, but in case they fail to do so, the chairman of the board of overseers of the poor of the oldest town of such union shall act as chairman and the chairman of the same board of the next oldest town shall act as secretary. They may at a full meeting establish rules for the management of such farm, appoint a superintendent, prescribe his powers and duties and cause all the paupers of such towns to be

supported there. They may receive and support there paupers of other towns. Towns may raise money for the purposes named in this section and sections 4463 and 4464.

R.S.1954, c. 94, § 18.

§ 4466. Union of towns for employment of social welfare workers

Two or more adjoining towns may unite in employing the same social worker, whose duty shall be to assist the overseers of the poor of such towns in the administration of poor relief. Towns desiring to take advantage of this section are empowered to appropriate or raise money for the foregoing purpose at an annual town meeting. The State shall contribute not exceeding \$200 per year on account of the salary of any such social welfare worker whose qualifications meet the requirements of the Department of Health and Welfare, and said amount shall be paid from the appropriation for support of state paupers and other dependent persons having no settlement within the State.

R.S.1954, c. 94, § 19.

§ 4467. Liability of relatives for support; procedure

The father, mother, grandfather, grandmother, children and grandchildren, by consanguinity, living within the State and of sufficient ability, shall support persons chargeable in proportion to their respective ability. A town, the State or any kindred of a pauper, having incurred expense for the relief of such pauper, may complain to the Superior Court in the county where any of the kindred reside. The court may cause such kindred to be summoned, and upon hearing or default may assess and apportion a reasonable sum upon such as are found to be of sufficient ability for the support of such pauper to the time of such assessment, and shall issue a writ of execution. Such assessment shall not be made to pay any expense for relief afforded more than 6 months before the complaint was filed. Such complaint may be filed with the clerk of the court who shall issue a summons thereon, returnable and to be served as writs of summons are. On suggestion of either party that there are other kindred of ability not named, the complaint may be amended by inserting their names, and they may be summoned in like manner and be proceeded against as if originally named. The court may assess and apportion upon such kindred a sum sufficient for the future support of such pauper, to be paid quarterly, until further order; and may direct with

whom of such kindred consenting thereto and for what time he may dwell, having regard to his comfort and their convenience. On application of the town, the State or person to whom payment was ordered, the clerk may issue or renew a writ of execution returnable to the next term of the court to collect what may be due for any preceding quarter. The court may, from time to time, make any further order on complaint of a party interested, and after notice given, alter such assessment or apportionment. On failure to sustain a complaint, the respondents recover costs.

R.S.1954, c. 94, § 20; 1961, c. 317, § 261.

§ 4468. Relief of paupers in unincorporated and deorganized places; state paupers

Persons found in places not incorporated and needing relief are under the care of the overseers of the oldest incorporated adjoining town or the nearest incorporated town where there are none adjoining, who shall furnish relief to such persons as if they were found in such towns. When relief is so provided, the towns so furnishing it have the same remedies against the towns of their settlement as if they resided in the town so furnishing relief.

When such paupers have no legal settlement in the State, the State shall reimburse said town for the relief furnished, to such an amount as the Department of Health and Welfare adjudges to have been necessarily expended therefor. The reasonable expenses and services of said overseers relative to such paupers shall be included in the amount to be so reimbursed by the State. The Department of Health and Welfare may, in its discretion, make such other arrangements as it may deem advisable for the care and support of paupers and other dependent persons having no settlement within the State. It may acquire property adjoining any state institution and erect suitable houses thereon or may erect such houses on land owned by the State for the occupancy of such persons, and may order such persons placed therein and cared for and employed in or at such institution or elsewhere under the direction of the superintendent of any such institution. The expense of acquiring such property or erecting such houses shall be paid from the appropriation for support of paupers and other dependent persons having no settlement within the State. Whenever such persons are so employed elsewhere than in or at such institution, said superintendent shall contract for the payment of wages for such employment which shall be collected by him, paid into the State Treasury and credited to said appropriation for support of paupers and other dependent persons having

no settlement within the State and used, under the direction of the Department of Health and Welfare, for the support of the families of such persons.

This section shall not apply to administrative responsibility for relief of persons found in townships which have become deorganized through an act to surrender their organization passed by the Legislature. All persons found in such deorganized places needing relief are under the care of the Department of Health and Welfare. The State shall recover for relief furnished persons in deorganized towns from the towns of their settlement, if any within the State. If such persons have no settlement within the State, the Department of Health and Welfare shall have the same rights and privileges as to location, care, support and earnings of such persons as are set forth in this section relative to persons found in unorganized townships.

R.S.1954, c. 94, § 21; 1957, c. 397, § 45.

§ 4469. Reimbursement of towns relieving persons removing from unincorporated places

When persons, residing in an unincorporated place and having no pauper settlement in the State, remove from such place to any town and there need relief and the same is furnished to them by such town, the State shall reimburse said town for such relief so furnished, in the same manner and under the same restrictions as to the amount reimbursed, as provided in section 4468.

R.S.1954, c. 94, § 22.

§ 4470. Removal of state paupers

Whenever towns that are compelled to care for and furnish relief to state paupers in unincorporated places, for reasons of economy, desire to remove the same into their own town, their overseers of the poor may make a written request, stating their reasons to the Department of Health and Welfare, which shall examine the same, and if in its judgment such state paupers would thereby be supported with less expense to the State, may permit in writing such transfer to be made. Whenever state paupers are thus transferred and maintained in a town for such purposes, they do not become paupers of such town by reason of residence therein while so maintained. Whenever any person for whose support the State is liable shall be in need of immediate relief, the Department of Health and Welfare may order such person to be removed to any town within the State or placed in the care of any state in-

stitution without formal commitment, and such orders shall be carried out by the overseers of the poor of the town required by law to provide relief for such person or by any official designated by the Department of Health and Welfare. The expenses of such removal shall be paid by the State from the appropriation for support of paupers. No such person or pauper shall be removed into any town, other than a town required by law to provide relief for such person or pauper, without the consent of the overseers of the poor of the town into which it is proposed to move said person or pauper.

R.S.1954, c. 94, § 23.

§ 4471. Reimbursement by State for relief of persons having no settlement

Whenever persons who have no legal settlement within the State and needing immediate relief are found in any town or in unincorporated places and are brought into an adjoining town obliged by law to care for and furnish relief to such persons, and relief is so furnished, the State shall reimburse said town for such relief so furnished in the same manner and under the same restrictions as provided in section 4468, although the overseers of the poor of said town have no permit in writing from the Department of Health and Welfare to remove the same into their town.

R.S.1954, c. 94, § 24.

§ 4472. Maintenance of paupers by certain plantations

Plantations having a population of 200 or more and a valuation of at least \$250,000 shall support the paupers therein, in the same manner that towns now do, and the expenses therefor shall not be chargeable to the State.

R.S.1954, c. 94, § 25; 1955, c. 87.

§ 4473. Persons needing relief in certain plantations under care of assessors; state paupers not affected

Persons found in plantations having a population of more than 200, to be determined by the returns of the county commissioners as provided by Title 30, section 5601, and a state valuation of \$40,000 and needing relief are under the care of the assessors of such plantations, and the duties and powers of such assessors relative to such persons are the same in every respect as overseers of the poor in towns have in like cases. Such plantations

shall assess and raise all moneys necessary to defray the expense incurred in the care of such persons. Plantations so furnishing relief have the same remedies against the towns of their settlement that towns have in like cases. This section does not extend to, nor affect the laws concerning so-called state paupers or paupers' settlements.

R.S.1954, c. 94, § 26.

§ 4474. Relief and burial, by individuals, of persons in unincorporated places

A person residing in a place not incorporated may provide relief and medical aid for any other sick, wounded or injured resident, and in case of his death may cause him to be buried, and may recover the amount necessarily expended of the town where such person had a settlement if, within 60 days thereafter, he has delivered into a postoffice, postage paid, a written notice signed by him informing the overseers of such town of the name of the person relieved, the nature of his sickness or injury, if known, and the amount expended. Towns paying such expenses or costs may recover the amount, with interest, of the person relieved or of anyone liable for his support.

R.S.1954, c. 94, § 27.

§ 4475. Notice to town of settlement when person found destitute

Within 30 days after the overseers determine that a person found in their town and having no settlement therein is destitute and that relief is necessary, they shall notify the municipality of apparent settlement or the State, if there appears to be no settlement, of the facts. The notice provided by this section shall not be in place of, nor a necessary notice preliminary to, the right of a town to collect from the town of settlement or the State nor shall the giving of this notice relieve the town of the obligation to give the notices required by sections 4455 and 4476.

1963, c. 319.

§ 4476. Relief to persons having settlements elsewhere; actions between towns

Overseers shall relieve persons destitute, found in their towns and having no settlement therein, and in case of death, decently bury them or dispose of their bodies according to section 2883;

the expenses whereof and of their removal, incurred within 3 months before notice given to the town chargeable, may be recovered of the town liable by the town incurring them, in an action commenced within 2 years after the cause of action accrued and not otherwise; and may be recovered of their kindred in the manner provided in this chapter.

When relief is given to a person having a settlement in another municipality and no legal notice of such aid has been sent to the municipality of settlement within 6 months from the time that expense has been incurred, the continuity of acquiring a settlement in the municipality furnishing such aid or relief shall not be interrupted thereby.

Notice as provided shall be deemed sufficient if the said notice is sent to the municipality of apparent settlement as indicated by written evidence of settlement submitted by the applicant for relief.

In all actions between towns in which the determination of the pauper settlement of a person or persons is involved, it shall be the duty of the clerk of the court wherein such action is pending to notify the Department of Health and Welfare in writing of the pendency of such action forthwith upon the filing of the complaint. Such notice shall contain the names of the parties to the action and the names and addresses of the persons whose pauper settlement is involved. The State shall have the right to enter its appearance on the docket of the court in which such action is pending as a party defendant to plead and introduce evidence in the trial of the cause on material issues involving pauper settlement. A recovery in such an action against a town estops it from disputing the settlement of the pauper with the town recovering in any future action brought for the support of the same pauper.

R.S.1954, c. 94, § 28; 1959, c. 317, § 59.

§ 4477. Notice to town of settlement; refusal of relief in certain cases

Overseers shall send a written notice, signed by one or more of them, stating the facts respecting a person chargeable in their town, to the overseers of the town where his settlement is alleged to be, requesting them to remove him, which they may do by a written order directed to a person named therein, who is authorized to execute it. If such pauper, so ordered to be removed, shall refuse to obey such order and to return to the town of his settle-

ment, then the overseers of the town wherein said pauper is found may refuse to furnish him relief.

R.S.1954, c. 94, § 29.

§ 4478. Time period for answer to notice, if pauper not removed; failure to answer

Overseers receiving such notice referred to in section 4477 shall within 2 months, if the pauper is not removed, return a written answer signed by one or more of them, stating their objections to his removal. If they fail to do so, the overseers of the town of residence may cause him to be removed to the town of settlement by a written order directed to a person named therein, who is authorized to execute it. The overseers of the town to which he is sent shall receive him and provide for his support, and their town is estopped to deny his settlement therein, in an action brought to recover for the expenses incurred for his previous support and for his removal.

R.S.1954, c. 94, § 30.

§ 4479. Notice and answer by mail

When a written notice or answer provided for in this chapter is sent by mail, postage paid, and it arrives at the post office where the overseers to whom it is directed reside, it is sufficient.

R.S.1954, c. 94, § 31.

§ 4480. Refusal to move to town of settlement; proceedings; fees and costs

When the removal of a pauper to the town of his alleged settlement is sought, under section 4477 or section 4478, and the person to whom the order of the overseers is directed requests him to go with him in obedience thereto and he refuses to go or resists the service of such order, the person to whom it is directed may make complaint in writing, by him signed, of the facts aforesaid, to the proper officer of the District Court within the division where said pauper is then domiciled. The judge shall thereupon, by proper order or process, cause said pauper to be brought forthwith before him by any officer to whom the same is directed to answer said complaint and show cause why he should not be so removed. The complaint may be amended at any time before judgment thereon according to the facts. The complainant and the pauper shall both be heard, and if upon such hearing the judge

finds that the town to which it is proposed to remove such pauper is liable for his maintenance and support, he shall issue his order, under his hand and seal, commanding the person to whom it is directed to take said pauper and transport him to the town aforesaid and deliver him to the custody of the overseers of the poor thereof. In such a hearing the written order of the overseers of the poor of the town of settlement requesting the removal of the pauper shall be accepted by the judge as prima facie evidence that the settlement of the pauper is in the town requesting the removal and thereupon the burden of proof shall be upon the pauper to deny said settlement. The person to whom said last named order is directed shall have all the authority to execute the same, according to the precept thereof, that the sheriff or his deputy has in executing warrants in criminal proceedings. In the foregoing proceedings, the fees and costs shall be the same as for like services in criminal cases and shall be paid by the town of settlement.

R.S.1954, c. 94, § 32; 1963, c. 402, § 116.

§ 4481. Commitment of persons returning after removal

A person removed as provided in this chapter to the place of his settlement, who voluntarily returns to the town from which he was removed without the consent of the overseers, may be sent to the house of correction or jail as a vagabond.

R.S.1954, c. 94, § 33.

§ 4482. Removal of out-of-state paupers; exceptions

On complaint of overseers that a pauper chargeable to their town has no settlement in this State, any Judge of the District Court may, by his warrant directed to a person named therein, cause such pauper to be conveyed, at the expense of such town, beyond the limits of the State to the place where he belongs. This section does not apply to the families of volunteers enlisted in the State who may have been mustered into the service of the United States.

R.S.1954, c. 94, § 34; 1963, c. 402, § 117.

§ 4483. Reimbursement to individuals relieving paupers

Towns shall pay expenses necessarily incurred for the relief of paupers by an inhabitant not liable for their support, after notice and request to the overseers, until provision is made for them.

R.S.1954, c. 94, § 35.

§ 4484. Overseers to complain of intemperate paupers

When a person in their town, notoriously subject to habits of intemperance, is in need of relief, the overseers shall make complaint to a proper officer of the District Court, who shall issue a warrant and cause such person to be brought before said court, and upon hearing and proof of such habits, said court shall order him to be committed to the house of correction, to be there supported by the town where he has a settlement, and if there is no such town, at the expense of the county, until discharged by the overseers of the town in which the house of correction is situated or by 2 justices of the peace.

R.S.1954, c. 94, § 36; 1963, c. 402, § 118.

§ 4485. Recovery from pauper or wife

A town which has incurred expense for the support of a pauper or his wife, whether he has a settlement in that town or not, may recover the full amount expended for the support of either or both, from either the pauper or his wife, their executors or administrators, in a civil action. If such pauper has no settlement within the State and the town is reimbursed by the State for the expense incurred for the support of such pauper, the State may recover it in the manner provided.

R.S.1954, c. 94, § 37; 1961, c. 317, § 262.

§ 4486. Overseers to take possession of deceased pauper's property

Upon the death of a pauper then chargeable, the overseers may take into their custody all his personal property, and if no administration on his estate is taken within 30 days, they may sell so much thereof as is necessary to repay the expenses incurred. They have the same remedy to recover any property of such pauper, not delivered to them, as his administrator would have.

R.S.1954, c. 94, § 38.

§ 4487. Support of paupers; reimbursement

No pauper or other dependent person shall be assisted or supported by a city or town other than the city or town in which he is actually living or in which he is personally present, without the consent in writing of the overseers of the poor of such city or town. Any city or town assisting or supporting a pauper or other dependent person having a settlement in another city or town shall

be reimbursed by the city or town in which he has a settlement for the reasonable and necessary cost of such assistance or support, if notice is given as provided by section 4477. In absence of the consent provided, said city or town wherein the pauper or other dependent person is actually living or in which he is personally present shall have the right to require his removal as provided in sections 4477 to 4482.

R.S.1954, c. 94, § 39.

§ 4488. Prosecution and defense of towns

For all purposes provided for in this chapter, its overseers or any person appointed by them in writing may prosecute and defend a town.

R.S.1954, c. 94, § 40.

§ 4489. Plantations may raise money

Any plantation, at a legal meeting called for the purpose, may raise and expend money for the support of the poor, to be applied by its assessors.

R.S.1954, c. 94, § 41.

§ 4490. Bringing paupers into town

Whoever brings into and leaves in a town any poor, indigent or mentally ill person, having no visible means of support and having no settlement in such town, or hires or procures such person to be so brought, or aids or abets in so doing, knowing such person to be poor, indigent or mentally ill, with intent to charge such town in this State with the support of such person, shall be punished by a fine of not more than \$300 or by imprisonment for not more than 11 months; and shall be further liable to any town or to the State for such sums of money as are expended by such town or by the State for the support and maintenance of such person which may be recovered in a civil action.

R.S.1954, c. 94, § 42; 1959, c. 242, § 8; 1961, c. 317, § 263.

§ 4491. False representations to overseers

Whoever knowingly and willfully makes any false written representations to the overseers of the poor of any town or city or their agents or to the Department of Health and Welfare or its agents for the purpose of causing himself or any other person to be supported in whole or in part by a town or city or by the

State shall be punished by a fine of not more than \$300 or by imprisonment for not more than 11 months.

R.S.1954, c. 94, § 43.

§ 4492. Financial information to be furnished

A treasurer of any bank, trust company, benefit association, insurance company, safe deposit company or any corporation or association receiving deposits of money, except national banks, shall, on request in writing signed by a member of the board of overseers of the poor of any town or city or its agents, or by the Commissioner of Health and Welfare or his agents or by the Commissioner of Mental Health and Corrections or his agents, or by the Commissioner of Veterans Services or his agents, inform such board of overseers of the poor or the Department of Health and Welfare or the Department of Mental Health and Corrections or the Department of Veterans Services of the amount deposited in the corporation or association to the credit of the person named in such request, who is a charge upon such town or city or the State, or who has applied for support to such town or city or the State. Whoever willfully renders false information in reply to such request shall be punished by a fine of not less than \$25 nor more than \$100, to be recovered on complaint in any court of competent jurisdiction for the use of the town, city or the State making the request.

R.S.1954, c. 94, § 44; 1959, c. 360, § 2; 1963, c. 11; c. 60, § 2.

§ 4493. Central Maine Sanatorium

No person acquires a pauper settlement in the Town of Fairfield by reason of being a patient of the Central Maine Sanatorium.

1959, c. 324.

§ 4494. Location of children of paupers for school purposes; expenses; reimbursement

Any municipality which locates paupers having children attending the public schools in another municipality shall locate such paupers so that the municipality where they reside shall not be put to extra expense for the tuition of children or for the conveyance of children to elementary or secondary schools. If the said municipality does not so locate said paupers, the said municipality shall reimburse the municipality wherein the said

paupers reside for the extra expense so caused. The State shall locate its paupers so that the municipality in which they reside shall not be put to extra expense for tuition or for conveyance of the children of said paupers to elementary or secondary schools. If the State does not so locate said paupers, the State shall reimburse the municipality wherein the said paupers reside for the extra expense incurred for said tuition or conveyance. For the purposes of this section the word "paupers" shall mean all persons who have been directly or indirectly furnished with pauper supplies, as such, within the 3 months next preceding the time when the extra expense for conveyance was incurred. Expenses incurred by any town or by the State under this section may be paid from funds made available for relief of the poor but shall in no other respect be treated as pauper expense.

R.S.1954, c. 94, § 47.