

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

HOUSE.

No. 17

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVEN.

AN ACT in addition to chapter 144 of the Revised Statutes,
relating to the Commitment of the Insane.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. The judge of probate in the several counties
2 shall likewise have power to examine insane persons not
3 included in section 15 of chapter 144 of the Revised Statutes,
4 and upon complaint in writing of any blood relation, husband
5 or wife, of said alleged insane person, or of any justice of
6 the peace, accompanied by the certificate of some reputable
7 physician stating that in his opinion such person is insane,
8 shall immediately appoint a time and place for hearing,
9 within the county in which said person resides or is found,
10 the allegations contained in said complaint, and shall cause

11 to be given in hand to the person so alleged to be insane at
12 least twenty-four hours prior to the time appointed for said
13 hearing, a true copy of said complaint attested by the register
14 of probate of the county in which said hearing is to be held,
15 together with a notice of the time and place of said hearing,
16 and that he has a right and will be given opportunity there
17 and then to be heard in the matter, and a like copy of said
18 complaint and of said notice of hearing shall be served upon
19 the clerk of the town in which said person resides or is
20 found. The judge of probate before whom the hearing is
21 to be held, shall have power to summon such witnesses as
22 shall be necessary for the full understanding of the case, and
23 if it shall be decided that such person is insane, and that his
24 comfort and safety, or that of others interested shall thereby
25 be promoted, the said judge of probate shall forthwith send
26 him to the Maine insane hospital, or the eastern Maine insane
27 hospital, with a certificate stating the fact of his insanity and
28 the town in which he resided or was found at the time of the
29 examination, and directing the superintendent to receive and
30 detain him until he is restored or discharged by law or by the
31 superintendent or trustees. The register shall keep a record
32 of the doings in each case and furnish a copy to any inter-
33 ested person requesting and paying for it.

Sect. 2. Excepting sections 15 and 16, all other sections
2 of chapter 144, relating to the commitment, expense of sup-
3 porting and discharge of the insane, shall also apply to com-
4 mitments under this act. The register of probate shall be
5 entitled to reasonable fees for each paper, or copy thereof,
6 made by him under such proceedings for commitment, and

7 unless the relatives of the person alleged to be insane are
8 liable and of sufficient ability to pay the same together with
9 all witness fees in the case, and the expenses of such com-
10 mitment are not otherwise met, the amount of such fees shall
11 be made up by the register and approved by the judge of
12 probate before whom the hearing is held and certified to the
13 treasurer of the town in which the person resides or is found,
14 who shall pay the amount so certified.

Sect. 3. The municipal officers or the judge of probate
2 first taking jurisdiction of a complaint referred to in section
3 16 of chapter 144 of the Revised Statutes, and in section one
4 of this act, shall have exclusive jurisdiction in the matter
5 until such complaint is finally disposed of. In case of refusal
6 to commit by one of said tribunals after notice and hearing,
7 no complaint shall be made to the other tribunal with refer-
8 ence to the same person within thirty days after such deci-
9 sion is recorded; and only after application to each of said
10 tribunals and neglect or refusal for three days on the part of
11 each to act, shall proceedings under section 19 of said chapter
12 144 be taken.

Sect. 4. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, January 17, 1907.

Reported by Mr. MONTGOMERY, from Committee on Judiciary, and
ordered printed and recommitted.

E. M. THOMPSON, *Clerk.*