

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

SENATE.

No. 66

STATE OF MAINE.

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

AN ACT relating to the support of the poor by counties and
the establishment of county poor houses and poor farms.

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

Section 1. The boards of county commissioners of the
2 several counties of this state are hereby vested with the
3 entire and exclusive superintendence of the poor in their
4 respective counties; and the members of said boards of
5 county commissioners shall be superintendents of the poor
6 in each county and shall establish and maintain a poor
7 house or may purchase a poor farm on such terms as they
8 may deem advantageous for the reception and support of
9 poor persons, chargeable on the county. The expense of

10 providing the necessary lands, buildings and equipment
11 for a poor farm shall be defrayed by a special tax, to be
12 assessed, levied and collected like other county taxes.

Sect. 2. Every poor person who shall be unable to earn
2 a livelihood in consequence of bodily infirmity, idiocy, lunacy
3 or other cause shall be supported by the father, grandfather,
4 mother, grandmother, children, grandchildren, brothers or
5 sisters of such poor person, if they, or either of them, be
6 of sufficient ability; and every person who shall fail to sup-
7 port his or her father, grandfather, mother, grandmother,
8 child, grandchild, sister or brother, when directed by the
9 board of commissioners of the county where such poor
10 person shall be found, whether such relatives reside in the
11 county or not, shall forfeit and pay to the county, for the
12 use of the poor of their county, the sum of thirty dollars
13 per month, to be recovered in the name of the county com-
14 missioners for the use of the poor, as aforesaid, before any
15 court having jurisdiction; *provided*, that when any person
16 becomes a pauper from intemperance, or other bad conduct,
17 he shall not be entitled to any support from any relation,
18 except parent and child.

Sect. 3. The children shall be first called on to support
2 their parents, if there be children of sufficient ability; if
3 there be none, the parents of such poor persons shall be next
4 called upon, and if there be no parents or children of suffi-
5 cient ability, the brothers and sisters shall be next called
6 upon, and if there be no brothers and sisters; the grand-

7 children of such poor persons shall be called on, and then
8 the grandparents; married females, while their husbands
9 live, shall not be liable to a suit, except that in case where
10 the grandchildren shall become paupers, the grandparents
11 shall not be liable for but one-half of the amount of such
12 charges, or *vice versa*.

Sect. 4. When any person shall not have relatives in any
2 county in this state such as are named in the preceding sec-
3 tions, or such relatives shall not be of sufficient ability, or
4 shall fail or refuse to maintain such pauper, then the said
5 pauper shall receive such relief as the case may require,
6 according to the provision of this act.

Sect. 5. No member of the board of county commissioners
2 shall be directly or indirectly interested in furnishing sup-
3 plies for the benefit of poor persons, or in the location or
4 maintenance of any poor house or in the sale of any farm
5 for a poor farm, provided for the reception of the poor,
6 and no such member shall be a physician for, or overseer
7 of the poor. Every person violating this section shall be
8 guilty of a misdemeanor.

Sect. 6. When a poor house or poor farm is established,
2 the county board shall appoint for the term of three years,
3 and may at pleasure remove, an overseer of the poor, who
4 shall hold office until his successor qualifies, and whose com-
5 pensation shall be fixed by the board annually. Before
6 entering upon his office he shall give bond to the county in
7 such sum as the board may direct, to be approved by it,

8 and conditioned for the faithful performance of his duties;
9 and the board may require an additional bond whenever
10 such bond is deemed insufficient.

Sect. 7. Said overseer shall have immediate charge and
2 control of all poor persons supported by the county, and
3 of the poor house or poor farm provided for their reception
4 or employment, subject to the supervision of the board, or
5 a committee thereof appointed for that purpose. He shall
6 keep a record of the name, age, residence, condition and
7 date of reception and discharge of each of the persons
8 received under his charge, and of all deaths and births
9 occurring. He shall keep an account of all moneys and
10 property received and disbursed by him, and shall render
11 and settle the same at least once each year at such time as
12 the board may appoint; and at the expiration of his term
13 of office, and at other times when required, he shall make
14 a report showing the number, names, ages, and conditions
15 of all persons who are or have been under his charge during
16 the time covered thereby, the length of time each person
17 has received support, the amounts received in money or
18 otherwise from the produce of the farm or work-house and
19 from the labor of the inmates, and such other facts and
20 information as the board may require.

Sect. 8. The overseer shall receive poor persons and fur-
2 nish them with suitable support, at the place provided for
3 that purpose, upon order of the county board. The board
4 may discharge any such person when satisfied that he is

5 not legally chargeable upon the county. When any inmate
6 shall have left or been discharged from the poor house, the
7 overseer shall report the fact in writing to the board at its
8 next meeting.

Sect. 9. When application for relief or support is made
2 to a member of the county board by or for any person in
3 his county, if satisfied that he is in actual need, is a proper
4 subject for public relief or support, and is legally settled
5 in the county, or has no legal settlement in the state, he
6 shall make and sign an order directing the overseer to
7 receive such person, and to furnish him with suitable sup-
8 port. Such order shall contain or be accompanied by a
9 statement of such person's name, age, condition, former
10 occupation, place of residence and length of residence in
11 the county. Upon delivering to him of such order the
12 overseers shall receive such persons and provide him with
13 support until the further order of the board. The member
14 making such order shall report the facts, in writing, to the
15 board at its next meeting.

Sect. 10. When an application is made by any pauper to
2 the board of county commissioners of any county in this
3 state for relief it shall be necessary for such commissioners
4 to require of said pauper satisfactory evidence that he or
5 she has been a resident of said county for one year immedi-
6 ately preceding the day upon which such application is made,
7 or if such is not the case, satisfactory evidence as to where

8 said pauper last resided for one year prior to arrival in the
9 county where such application is made.

Sect. 11. If, upon requiry, such member be of opinion that
2 only temporary and limited assessments will be required by
3 such persons or his family, and that it will be for the best
4 interests of the county to grant the same, instead of making
5 the order aforesaid he may allow such person or family relief
6 to the amount that he deems expedient, subject to the follow-
7 ing conditions :

1. No money shall be paid to any poor person under this
9 section except that, when transportation is furnished, a small
10 sum may be given to him to buy food.

2. Relief shall not be granted to any one person or family
12 in a sum exceeding twenty dollars in one calendar year ;
13 except that in such case extended relief is asked for and
14 approved by the commissioner, the board may, by resolution,
15 authorize him to increase the relief to the amount of fifty
16 dollars, or so much thereof as may be necessary.

When relief is given under this section, an itemized bill of
18 goods furnished and services rendered, accompanied by an
19 acknowledgment of the same from the person receiving
20 them must be presented to each member. Upon his removal
21 thereof, he shall direct the county treasurer, in writing, to
22 issue his warrant for the amount specified, to be paid out of
23 the fund for the support and relief of the poor. A blank
24 form for such bill, acknowledgment, approval and order
25 shall be provided by the treasurer and used in all such cases.

Sect. 12. When an order is made directing an overseer to
2 receive any poor person who is unable to travel without con-
3 veyance at public expense, the board or member making the
4 same may, in writing, direct the sheriff or any near-by con-
5 stable to convey him to the place provided; and such officers
6 shall receive from the county reasonable compensation
7 therefor.

Sect. 13. When application for support or relief is made
2 by a person whose settlement is in another county, the board
3 applied to, or its chairman, shall warn him to depart from
4 its county; and if he is unable to or refused to do so within
5 a reasonable time, and is likely to become a public charge,
6 the chairman may issue an order, under his hand and the
7 seal of the board, to the sheriff or any constable of the
8 county requiring him to convey such person to the place of
9 his settlement. If he be so sick, infirm, or otherwise disabled
10 as to render it unsafe or inhuman to remove him, and is in
11 immediate need of support or relief, provision therefore
12 shall be made in the manner prescribed in Section 11 of this
13 Act. All proper expenses incurred by such county in mak-
14 ing such removable, or in furnishing such support or relief,
15 shall be paid by it, and shall be a legal claim in its favor
16 against the county in which such person has a settlement.

Sect. 14. The board shall appoint one or more practicing
2 physicians to be physicians of the poor who shall hold office
3 during the pleasure of the board, and receive such compensa-
4 tion as it may from time to time determine. If more than

5 one be appointed, the order of appointment shall prescribe
6 the district in which each shall act, and none shall be required
7 to act outside his district except in case of urgency. When
8 directed by a member of the board or the overseer, such
9 physician shall attend upon and prescribe for any sick poor
10 person in charge of the overseer, and also on written direc-
11 tion of a member of the board shall attend upon and pre-
12 scribe for any sick person who is entitled to receive support
13 or relief from the county. If immediate treatment of any
14 person who has been declared a county charge be required,
15 any licensed physician who may prescribe for or treat him
16 before the arrival of the county physician shall be paid there-
17 for. He shall at once notify the county physician, who shall
18 thereupon take charge of the case. Within thirty days
19 thereafter, he shall file with the board a verified report
20 showing the name and residence of the patient, the day and
21 hour when called, the distance traveled in going to such
22 place, the nature of the disease or injury, the service per-
23 formed, the time when the county physician was notified to
24 take charge and the amount claimed as compensation, and
25 the board shall allow reasonable compensation therefor.

Sect. 15. When a minor becomes chargeable upon any
2 county the county board of commissioners shall provide a
3 home for him with some respectable householder, if one can
4 be found who will take him, and by written contract secure
5 for said minor means of obtaining a common school educa-
6 tion.

Sect. 16. When a person dies in any county not leaving
2 sufficient means to defray the necessary expenses of his bur-
3 ial nor any relatives therein of sufficient ability to procure
4 his burial the county board shall cause a decent burial of his
5 remains to be made at the expense of the county. The county
6 board shall levy a tax annually sufficient to defray the esti-
7 mated expenses of supporting and relieving the poor therein
8 during the succeeding year, and to make up any deficiency in
9 the fund raised for that purpose during the preceding year.

Sect. 17. If any person shall bring or leave any pauper in
2 any county in this state, wherein such pauper is not lawfully
3 settled, knowing him to be a pauper, he shall forfeit and pay
4 the sum of one hundred dollars for every such offense, to be
5 sued for and to be recovered by and to the use of such county
6 in a civil action before any court having jurisdiction of the
7 same.

Sect. 18. All Acts or parts of Acts inconsistent with this
2 Statute are hereby repealed.

Sect. 19. This Act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 5, 1907.

Presented by Mr. LIBBY of Waldo, and laid on table on motion of same Senator to be printed, pending reference to Committee on Judiciary.

F. G. FARRINGTON, *Secretary*.