

# MAINE STATE LEGISLATURE

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# SEVENTY-FOURTH LEGISLATURE

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HOUSE.

No. 528

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## STATE OF MAINE.

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

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AN ACT to amend section forty-five of chapter one hundred and twenty-three of the Public Laws of nineteen hundred and five, as amended by chapter forty-three of the Public Laws of nineteen hundred and seven, entitled, "An Act for the Protection of Children."

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

Section 1. Section forty-five of chapter one hundred and  
2 twenty-three of the Public Laws of nineteen hundred and  
3 five, as amended by chapter forty-three of the Public Laws  
4 of nineteen hundred and seven, is hereby further amended  
5 by inserting after the word "court" in the fifth line the words  
6 'or trial justice,' and by inserting after the word "judge"  
7 in the twentieth line the words 'or magistrate,' and by insert-

8 after the word "judge" in the twenty-first line the words 'or  
9 magistrate,' and by inserting after the word "judge" in the  
10 twenty-second line the words 'or magistrate,' so that said sec-  
11 tion, as amended, shall read as follows :

'Section 45. When complaint in writing, signed by any  
13 such agent so appointed or any officer or agent of any so-  
14 ciety for the protection of children or the prevention of  
15 cruelty to the same, or by three or more citizens of any  
16 town or city is made under oath to the judge of any court  
17 or trial justice in the county in which said town or city is  
18 located, alleging that such child in said town or city is cruel-  
19 ly treated or wilfully neglected by its parents or parent, or  
20 by the wilful failure of such parents or parent is not pro-  
21 vided with suitable food, clothing or the privileges or  
22 education, or is kept at or allowed to frequent any disorderly  
23 house, house of ill fame, gambling place or place where in-  
24 toxicating liquors are sold, or other place injurious to health  
25 or morals, or that such child is an orphan without means of  
26 support or kindred of sufficient ability who will furnish such  
27 support, and praying that suitable and proper provision  
28 may be made for the care, custody, support and education  
29 of the child named in such complaint; the magistrate or  
30 judge to whom such complaint is made shall issue his war-  
31 rant and cause such child to be brought before him, and  
32 notice to be given to its parents or parent, if any for  
33 such length of time as the judge or magistrate may see  
34 fit either by service in hand or publication in such manner

35 as the judge or magistrate may direct, and the judge or  
36 magistrate may if he deems it necessary in his discretion con-  
37 tinue the case for hearing, and if upon hearing it appears  
38 that the allegations of said complaint are true, and that it is  
39 suitable and proper that such child shall be supported and  
40 educated away from its parents or parent, he shall order it  
41 into the care and custody of such place or institution as is  
42 provided therefor by such town or city, or to such charitable  
43 institution or private person as he deems suitable, provided  
44 that such institution or persons consents to receive, support  
45 and educate said child; but such order shall not extend be-  
46 yond the time when such child arrives at the age of twenty-  
47 one years, if a male, or at the age of eighteen years, if a fe-  
48 male, and pending any such continuance of the case before  
49 hearing and after hearing and until such institution or person  
50 can be found, the magistrate or judge may in his discretion if  
51 the circumstances appear to require it, order such child tem-  
52 porarily into the custody of any such agent so appointed, or  
53 of any such institution or suitable person consenting to re-  
54 ceive said child, and the expense of the support of said  
55 child during such period until permanent provision can  
56 be made therefor, in the manner above specified, shall be  
57 paid by the town in which said child resides and said town  
58 may recover the amount thereof from the parents or parent  
59 of said child, if any, as provided in section fifty of this chap-  
60 ter.'

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, March 10, 1909.

Reported by Mr. HERSEY from Committee on Judiciary  
and ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*