

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 734

STATE OF MAINE.

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

AN ACT concerning the Protection of Children, and Defining
Certain Acts which shall be Considered as Causing, Encour-
aging or Contributing to the Delinquency or Distress of In-
fants.

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

Section 1. It shall be considered injurious to the physical,
2 mental or moral welfare of any child, or children within the
3 age defined by the statutes of this State concerning infants
4 in distress, to smoke or use tobacco in any form, or to use or
5 drink alcoholic or intoxicating liquors, or to use narcotic
6 drugs of any kind or description unless prescribed by a
7 physician, or otherwise used in case of sickness; and any

8 person selling, giving or furnishing any such child with
9 cigarettes, cigarette papers, tobacco, liquor, or narcotic drugs
10 in any form or encouraging such child to use the same, ex-
11 cept as otherwise provided herein, shall be deemed guilty of
12 encouraging, causing or contributing to the delinquency or
13 distress of such child, and shall be punished, on conviction
14 thereof, by a fine not exceeding one hundred dollars or im-
15 prisonment for a term not exceeding thirty days.

Sect. 2. It shall also be considered dangerous to the wel-
2 fare of such children to give, furnish or sell to them any
3 dangerous weapon or fire-arms, except in cases where the
4 parents, guardians, teachers or instructors of children may
5 furnish them with such weapons for hunting or target
6 shooting outside the limits of any incorporated town or city,
7 or where the same may be used in any regular licensed shoot-
8 ing gallery, and any person violating this provision shall also
9 be deemed guilty of causing, encouraging or contributing to
10 the delinquency or distress of children, and may be similar-
11 ly proceeded against and punished as under the foregoing
12 sections.

Sect 3. This act shall not be construed to repeal any
2 criminal law of this State forbidding the sale of tobacco,
3 liquor, narcotic drugs or firearms to minors, or any law of
4 this State for the protection of children or minors, or to for-
5 bid proceedings under such acts in cases which may also
6 come within the proceedings of this act.

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Sect. 4. The court may suspend any sentence, stay or
2 postpone the enforcement of execution, or release from cus-
3 tody any person found guilty in any case under this act upon
4 such conditions as shall be imposed by the court.

Sect. 5. In order to find any person guilty of violating
2 this act it shall not be necessary to prove that the child is
3 actually in delinquency or distress, providing it appears from
4 the evidence that through any act or neglect or omission of
5 duty or by any improper act or conduct on the part of any
6 such person the distress or delinquency of any child may
7 have been caused or merely encouraged. This act shall al-
8 ways be liberally construed in favor of the State for the pur-
9 pose of the protection of the child from neglect or omission
10 of parental duty towards the child by the parents, as well
11 also to protect the children of the State from the effects of
12 the improper conduct, acts, or the bad example of any per-
13 son or persons whomsoever, which may be calculated to
14 cause, encourage or contribute to the distress or delinquency
15 of children, although such persons are in no way related to
16 the child.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 19, 1909.

Reported by Mr. HALL from Committee on Legal Affairs
and ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*