

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

SENATE.

No. 8

STATE OF MAINE.

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

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-house
7 or may purchase a poor-farm on such terms as they may
8 deem advantageous for the reception and support of poor
9 persons, chargeable on the county. The expense of pro-
10 viding the necessary lands, buildings and equipment for a
11 poor farm shall be defrayed by a special tax, to be assessed,
12 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,
3 lunacy or other cause shall be supported by the father,

4 grandfather, mother, grandmother, children, grandchildren,
5 brothers or sisters of such poor person, if they, or either
6 of them, be of sufficient ability; and every person who shall
7 fail to support his or her father, grandfather, mother, grand-
8 mother, child, grandchild, sister or brother when directed
9 by the board of commissioners of the county where such
10 poor person shall be found whether such relatives reside
11 in the county or not, shall forfeit and pay to the county,
12 for the use of the poor of their county, the sum of thirty
13 dollars per month, to be recovered in the name of the
14 county commissioners for the use of the poor, as aforesaid,
15 before any court having jurisdiction; *provided*, that when
16 any person becomes a pauper from intemperance, or other
17 bad conduct, he shall not be entitled to any support from
18 any relation, 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
4 next called upon, and if there be no parents or children of
5 sufficient 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
3 sections, or such relatives shall not be of sufficient ability,

4 or shall fail or refuse to maintain such pauper, then the
5 said 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
5 compensation shall be fixed by the board annually. Before
6 entering upon his office he shall give bond to the county
7 in such sum as the board may direct, to be approved by
8 it, and conditioned for the faithful performance of his
9 duties; and the board may require an additional bond when-
10 ever 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 recep-
4 tion or employment, subject to the supervision of the board,
5 or a committee thereof appointed for that purpose. He
6 shall keep a record of the name, age, residence, condition
7 and 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 dur-
16 ing the time covered thereby, the length of time each per-
17 son has received support, the amounts received in money
18 or otherwise from the produce of the farm or work-house
19 and 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,
7 the overseer shall report the fact in writing to the board
8 at its 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 occu-
10 pation, place of residence and length of residence in the
11 county. Upon delivering to him of such order the overseers

12 shall receive such person and provide him with support
13 until the further order of the board. The member making
14 such order shall report the facts, in writing, to the board
15 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
7 made, or if such is not the case, satisfactory evidence as
8 to where said pauper last resided for one year prior to
9 arrival in the county where such application is made.

Sect. 11. If, upon inquiry, such member be of opinion
2 that only temporary and limited assessments will be required
3 by such person 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
6 relief to the amount that he deems expedient, subject to
7 the following conditions:

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

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

• When relief is given under this section, an itemized bill
18 of goods furnished and services rendered, accompanied by

19 an 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
23 of 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
26 cases.

Sect. 12. When an order is made directing an overseer
2 to receive any poor person who is unable to travel without
3 conveyance at public expense, the board or member making
4 the same may, in writing, direct the sheriff or any nearby
5 constable to convey him to the place provided; and such
6 officers shall receive from the county reasonable compen-
7 sation 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
9 of his settlement. If he be so sick, infirm, or otherwise
10 disabled as to render it unsafe or inhuman to remove him,
11 and is in immediate need of support or relief, provision
12 therefore shall be made in the manner prescribed in Section
13 11 of this Act. All proper expenses incurred by such county
14 in making such removable, or in furnishing such support
15 or relief, shall be paid by it, and shall be a legal claim in

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

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

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

January 13, 1909.

Taken from the files of last session and on motion by Mr. STAPLES
of Knox, laid on the table for printing pending reference to a Committee.

F. G. FARRINGTON, *Secretary*.