

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 35

House of Representatives, Jan. 26, 1917.

Referred to Committee on Judiciary and five hundred copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Gurney of Portland.

STATE OF MAINE

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

AN ACT to Amend Section Forty-five of Chapter Sixty-four
of the Revised Statutes, relating to the care and custody of
minors.

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

Section forty-five of chapter sixty-four of the Revised
2 Statutes is hereby amended by inserting after the word
3 "the" in the fourth line, the word 'exclusive' and is further
4 amended by inserting after the word "minor" in the fifth
5 line the words, 'or he may apportion the care and custody
6 of the said minor between the parents' so that said section
7 as amended shall read as follows:

'If the father and mother of a minor child are living apart
2 from each other, the judge of probate in the county where
3 either resides, on petition of either, and after such notice
4 to the other as he may order, may decree which parent shall
5 have the exclusive care and custody of the person of such
6 minor, or he may apportion the care and custody of the
7 said minor between the parents, as the good of the child
8 may require; which decree shall be in force until further
9 order of the judge of probate. An appeal shall lie from
10 such decree to the supreme court of probate, which appeal
11 shall be heard and determined by the justice presiding, but
12 the decree of the judge of probate shall be in force until
13 reversed.'