

# MAINE STATE LEGISLATURE

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EIGHTY-THIRD LEGISLATURE

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House Document

No. 139

H. P. 530            House of Representatives, Feb. 11, 1927.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Miss Laughlin of Portland.

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STATE OF MAINE

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

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AN ACT Making the Father and Mother Joint Natural  
Guardians of Their Minor Children with Equal Powers and  
Rights.

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

Section 1. The father and mother are the joint natural  
2 guardians of their minor children and are jointly entitled  
3 to the care, custody, control, services and earnings of such  
4 children; and neither parent has any rights paramount to  
5 the rights of the other with reference to any matter affect-  
6 ing such children.

Sect. 2. The parents of a minor child jointly may main-  
2 tain an action for loss of the services or earnings of such  
3 child when such loss is caused by the negligent or wrongful

4 act of another. But where one parent refuses to sue, the  
5 other may sue alone. Nothing contained herein shall be  
6 deemed to limit, amend, supersede or affect the provisions  
7 of the workmen's compensation law or acts in amendment  
8 thereof.

Sect. 3. If one of the parents of a minor child be dead  
2 or has abandoned such child, all parental rights respecting  
3 such child shall devolve upon the other parent.

Sect. 4. Nothing contained in this act shall be deemed  
2 to abrogate any power now vested in any court to award  
3 the guardianship of a child to one parent where the father  
4 and mother are divorced or living apart, or to remove the  
5 custody of a minor from any parent who is unsuitable or  
6 unfit to have the guardianship of such minor.

Sect. 5. Sections forty-four and forty-seven of chapter  
2 sixty-four of the revised statutes, and all acts and parts of  
3 acts in conflict with this act are hereby repealed.