

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 196

S. P. 488

In Senate, Feb. 20, 1929.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Oakes of Cumberland.

STATE OF MAINE

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

AN ACT Relating to the Protection of Children.

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

Section fifty-three of chapter sixty-four of the revised
2 statutes, as amended by chapter two hundred ninety-seven
3 of the public laws of nineteen hundred and seventeen, and
4 by chapter one hundred seventy-one of the public laws of
5 nineteen hundred and nineteen, is hereby further amended
6 by striking out the whole thereof, and inserting in place
7 thereof the following, to be known as section fifty-three :

'Sect. 53. When complaint in writing signed by an agent
2 of the state board, sheriff, police officer, member of a mu-
3 nicipal board or by three or more citizens of any town or

4 city is made under oath to the probate court of the county or
5 the municipal or police court having jurisdiction in the said
6 city or town, alleging that such child in such city or town
7 is cruelly treated or wilfully neglected by its parents or
8 parent or by the wilful failure of such parents or parent
9 is not provided with suitable food, clothing or privileges
10 of education, or is kept at or allowed to frequent any dis-
11 orderly house, house of ill fame, gambling place, or place
12 where intoxicating liquors are sold, or other places injuri-
13 ous to the health and morals, or that such child is an orphan
14 without means of support or kindred of sufficient ability
15 who will furnish such support, and praying that suitable
16 and proper provision be made for the care, custody, support
17 and education of the child named in such complaint, the
18 court to whom such complaint is made shall issue a warrant
19 causing the parents or other persons having custody or
20 control of such child, if any, and the child, if necessary,
21 to be brought before it, or shall cause notice to be given to
22 said parents or said other persons in such manner or in
23 such length of time as the court deems proper. The court
24 shall cause notice in writing to be given to the state board
25 of children's guardians and to the municipal board of the
26 town where the child is residing at least ten days before
27 the date set for the hearing, provided, however, that the
28 state board of children's guardians and the municipal board
29 may waive such notice. The court shall also cause notice
30 in writing to be given to the county attorney of the county

31 where the child is residing at least ten days before the date
32 set for the hearing, and his duty shall be to represent the
33 interests of the state board of children's guardians at the
34 hearing. Said county attorney may waive such notice. If,
35 upon hearing, it shall appear that any material allegations
36 of said complaint are true, the court may order said child
37 into the custody of any suitable person or any duly incor-
38 porated children's institution or child welfare organization
39 consenting to receive same, at their own expense, whose
40 standards of care and maintenance are approved by the
41 state board, or into the custody of the state board itself.
42 If, upon hearing, it shall appear that the parents or parent
43 of said child have wilfully abandoned, abused or neglected
44 said child, the county attorney shall immediately cause the
45 arrest of said parents or parent, under the provisions of
46 chapter one hundred twenty of the revised statutes, as
47 amended. The court shall cause a copy of the order of
48 commitment and of any subsequent modifications thereof
49 to be sent forthwith to the state board. The court may
50 direct the municipal board where the child is residing to
51 make such provision for its care as may be necessary pend-
52 ing hearing, and the expense, if any, of such care shall be
53 paid by the town or city in which the child has a lawful
54 settlement.'