

# MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

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Senate Document

No. 197

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S. P. 489

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.

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STATE OF MAINE

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

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AN ACT Relating to the Protection of Children.

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

Section 1. Section fifty-five of chapter sixty-four of the  
2 revised statutes, as amended by chapter one hundred seven-  
3 ty-one of the public laws of nineteen hundred and nineteen,  
4 is hereby further amended by striking out the whole thereof,  
5 and inserting in place thereof the following, to be known  
6 as section fifty-five:

'Sect. 55. Whenever the court deems it suitable and con-  
2 ducive to the public welfare that any such child be placed  
3 under the control of an individual, the court shall first take  
4 a bond from such person running to the state in such sum

5 and with such sureties as the court approves, conditioned  
6 that such person shall humanely treat and properly support,  
7 clothe and educate the child, and in case of non-performance  
8 of the conditions of said bond a suit may be commenced  
9 thereon and the sum so recovered shall be paid into the  
10 treasury of the state for the joint benefit of the state and  
11 town of settlement, if any, of said child in proportion to  
12 the amount of expenses incurred by the state and said town  
13 because of the failure of said person so to treat, support,  
14 clothe and educate said child. The state board shall pro-  
15 vide for the maintenance and education in or by duly in-  
16 corporated children's institutions and child welfare organi-  
17 zations, where such are available, and otherwise direct in  
18 family homes, of any children committed to its custody un-  
19 der the provisions of the preceding sections. Bills itemizing  
20 the expense of maintenance and education of children com-  
21 mitted under the provisions of this chapter, when approved  
22 by the state board and audited by the state auditor, shall  
23 be paid by the treasurer of state, who shall recover from the  
24 town of settlement, if any, of any such child, two-thirds of  
25 any such payments on account of said child. Such amounts  
26 shall be collected and paid to the treasurer of state in the  
27 same manner and subject to the same penalties as state  
28 taxes. Any balance due shall be assessed in the succeeding  
29 year in the same manner as other state taxes. At the re-  
30 quest of the parents or next friend of any dependent child  
31 under sixteen years of age who is without parent or grand-

32 parent of sufficient ability, or without other relatives able  
33 and willing to provide for its care, said request being ap-  
34 proved by the municipal board of the city or town where  
35 the child is domiciled or by any duly incorporated children's  
36 institution or organization, the state board may make simi-  
37 lar provision, without intervention of court, for the care  
38 of such child. No such child, nor the parents or grand-  
39 parents of such child who are unable to provide for its  
40 care, shall be deemed paupers by reason of any care furn-  
41 ished to the child under the provisions of this act.'

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

'Sect. 60. The state or town incurring expenses under  
2 sections fifty-one, fifty-three, fifty-four, fifty-five and fifty-  
3 nine of this chapter, through the fault of parents who are  
4 able to support and educate their children, but wrongfully  
5 neglect and refuse to do so, may recover of them or either  
6 of them, in an action of debt, the amount so expended, said  
7 amount to be added to the regular legislative appropriation  
8 for the board and care of neglected children and credited  
9 proportionately as charges are made to the state and town  
10 of lawful settlement.'