

# MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

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Senate Document

No. 386

S. P. 725

In Senate, March 27, 1929.

Reported by Senator Oakes of Cumberland from Committee on Judiciary and laid on table to be printed under joint rules.

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 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 nineteen, is hereby further amended by  
6 striking out the whole thereof, and inserting in place thereof  
7 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, county probation officer, police

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

30 municipal board and the county attorney may waive such  
31 notice. It shall be the duty of the county attorney to repre-  
32 sent the interests of the state board of children's guardians  
33 at the hearing. If, upon hearing, it shall appear that any  
34 material allegations of said complaint are true, the court  
35 may order said child committed into the custody of any  
36 suitable person or any duly incorporated children's institu-  
37 tion or child welfare organization consenting to receive  
38 same, at their own expense, unless the payment of such  
39 expense by the state shall be approved by the state board of  
40 children's guardians, which approval and payment may at  
41 any time be withdrawn, whose standards of care and main-  
42 tenance are approved by the state board, or into the cus-  
43 tody of the state board itself. The court shall cause a copy  
44 of the order of commitment and of any subsequent modifi-  
45 cations thereof to be sent forthwith to the state board. The  
46 court may direct the municipal board where the child is  
47 residing to make such provision for its care as may be  
48 necessary pending hearing, and the expense, if any, of such  
49 care shall be paid by the town or city in which the child  
50 has a lawful settlement. Whoever being a parent of any  
51 child committed under this section shall be found guilty of  
52 having without just and sufficient cause failed or neglected  
53 to support said child shall be punished by a fine of not more  
54 than one thousand dollars or by imprisonment for not more  
55 than eleven months or by both fine and imprisonment. It  
56 shall be the duty of the county attorneys in their respective

57 counties to prosecute all violations of this section that are  
58 brought to their attention.'