

MAINE STATE LEGISLATURE

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E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 621

H. P. 1112

House of Representatives, Feb. 8, 1933.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. White of Crystal.

S T A T E O F M A I N E

I N T H E Y E A R O F O U R L O R D N I N E T E E N H U N D R E D T H I R T Y -
T H R E E

AN ACT Relating to Pauper Settlements.

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

Sec. 1. Pauper settlement further defined. Sub-section I of § 1 of chapter 33 of the revised statutes is hereby amended to read as follows:

I. **Pauper settlement further defined.** A married woman has the settlement of her husband, if he has any in the state; if he has not, ~~her own settlement is not affected by her marriage~~ **she shall be deemed to have no settlement in the state. A woman over twenty-one years of age, having no husband, shall acquire a settlement in a town by having her home therein for 5 consecutive years, without receiving supplies as a pauper.** When, in a suit between towns involving the settlement of a pauper, it appears that a marriage was procured to change it by the agency or collusion of the officers of either town, or of any person having charge of such pauper under authority of either town, the settlement is not affected by such marriage. And no derivative settlement is acquired or changed by a marriage so procured, but the children of such marriage and their descendants so have the settlement which they would have had if no such marriage had taken place. And the same rule applies in all controversies touching the settlement of paupers between the town by whose officers a marriage is thus procured and any other town whether the person whose

marriage is thus procured is a pauper at the time of the marriage or becomes so afterwards.

Sec. 2. Settlement of children. Sub-section II of § 1 of chapter 33 of the revised statutes is hereby repealed and the following enacted in place thereof :

II. Settlement of children. Legitimate children have the settlement of their father, if he has any in the state; if he has not, they shall be deemed to have no settlement in the state. Step-children have the settlement of their step-father, if he has any in the state; if he has not, they shall be deemed to have no settlement in the state. Children or step-children shall not have the settlement of their father or step-father, acquired after they become of age and have capacity to acquire one. Minor children of parents divorced after July 12, 1929, if given into the custody of either parent by the decree of divorce, shall follow the settlement of the parent to whom custody is given; if custody is not given, such children shall follow the settlement of their father, unless emancipated.

Sec. 3. Settlement of children further defined. Sub-section III of § 1 of chapter 33 of the revised statutes is hereby amended to read as follows :

III. Settlement of children further defined. Children, legitimate or illegitimate, do not acquire a settlement by birth in the town where they are born. Illegitimate children have the settlement of their mother, ~~at the time of their birth~~ but when the parents of such children born after March 24, 1864, intermarry, they are deemed legitimate and have the settlement of the father.

Sec. 4. Inconsistent acts repealed. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 5. Date when act shall take effect. This act shall take effect August 1st, 1933.