

# MAINE STATE LEGISLATURE

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

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Legislative Document

No. 546

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H. P. 1325

House of Representatives, Feb. 8, 1939.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Farrington of Augusta.

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S T A T E   O F   M A I N E

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-NINE

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**AN ACT to Amend the Law Relative to Commitment of the Insane.**

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

**Sec. 1. P. L., 1933, c. 1, § 406, amended.** Section 406 of chapter 1 of the public laws of 1933, as amended, is hereby amended to read as follows:

**‘Sec. 406. Municipal officers may commit to the hospitals.** Insane persons, over 12 years of age, not thus sent to any hospital, may be admitted to state institutions for the insane but shall be subject to examination as hereinafter provided. The municipal officers of towns shall constitute a board of examiners, and on complaint in writing of any blood relative, husband, or wife of said alleged insane person, or of any justice of the peace, they shall immediately inquire into the condition of any person in said town alleged to be insane; shall appoint a time and place for a hearing by them of the allegations of said complaint, and shall cause to be given in hand to the person so alleged to be insane, at least 24 hours prior to the time of said hearing, a true copy of said complaint, together with a notice of the time and place of said hearing and that he has the right and will be given opportunity then and there to be heard in the matter; shall call before them all testimony necessary for a full understanding of the case; and if they think such person insane and that his comfort and safety or that of

others interested, will thereby be promoted, they shall forthwith send him to one of the **state insane hospitals or to an institution established and maintained within this state by the United States government for the care and treatment of persons who have been in the military or naval service of the United States and are suffering from mental disease** with a certificate stating the fact of his insanity, and the town in which he resided or was found at the time of his examination, together with a statement of facts under oath satisfactory to the department in regard to the financial ability of such patient, or of any of his relatives legally liable to pay for his support, and directing the superintendent to receive and detain him until he is restored or discharged by law, or by the superintendent or department.'

**Sec. 2. P. L., 1933, c. 1, § 412, amended.** Section 412 of chapter 1 of the public laws of 1933 is hereby amended to read as follows:

**'Sec. 412. Proceedings at hearing.** The judge of probate before whom the hearing is held shall have authority to summon such witnesses as shall be necessary for the full understanding of the case; and if he shall decide that such person is insane, and that his comfort and safety, or that of others interested will thereby be promoted, he shall forthwith send him to one of the **state insane hospitals or to an institution established and maintained within this state by the United States government for the care and treatment of persons who have been in the military or naval service of the United States and are suffering from mental disease**, with a certificate stating the fact of his insanity and the town in which he resided or was found at the time of the examination, and directing the superintendent to receive and detain him until he is restored or discharged by law or by the superintendent or department. The register shall keep a record of the doings in each case and furnish a copy to any interested person requesting and paying for it. Excepting sections 405 and 406, all other sections of this chapter, relating to the commitment, expense of supporting and discharge of the insane, shall also apply to commitments under this section.'