

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

Legislative Document

No. 1173

S. P. 667

In Senate, April 12, 1939.

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

ROYDEN V. BROWN, Secretary.

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

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT Relating to the Commitment of the Insane; Penalty for False
Testimony.

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

Sec. 1. Examination of insane persons. No person shall be declared insane or sent to any institution for the insane by municipal officers or by a judge of probate, or by any other person or persons constituting a board of examiners charged with authority to inquire into the condition of a person alleged to be insane, unless the person alleged to be insane shall first have been examined by 2 reputable physicians, each of whom shall have been a duly licensed and practising physician in this state for a period of 5 years or more, who shall be appointed by said municipal officers or by the probate judge, or by any examining board before whom proceedings are held, and neither of whom or of said members shall be related to the person alleged to be insane or related to the person or persons making complaint, and such physicians shall have certified that the person examined is in fact insane.

Sec. 2. Penalty for false testimony. Any person who shall wilfully cause or attempt to cause, or who shall conspire with any other person to cause any person who is not insane to be committed to any institution for the insane, and any person who shall knowingly certify falsely to the insan-

ity of any person in any certificate, or testify falsely at any hearing to inquire into the condition of a person alleged to be insane, and any person who shall knowingly report falsely to any court or to any person or persons charged with authority to inquire into the condition of the person alleged to be insane, shall be punished by a fine of not less than \$100 nor more than \$1,000, or shall be punished by imprisonment in the state prison for not less than 1 year nor more than 5 years, or shall be punished by both such fine and imprisonment.

Sec. 3. Repealing clause. All acts and parts of acts in conflict with any of the provisions of this act are hereby repealed.