

# MAINE STATE LEGISLATURE

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NINETY - SECOND      LEGISLATURE

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Legislative Document

No. 506

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H. P. 818

House of Representatives, February 7, 1945.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Peirce of Augusta.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-FIVE

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**AN ACT to Confer Concurrent Jurisdiction on the Probate Court and Superior Court in Matters Concerning Custody and Support of Minor Children.**

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

R. S., c. 153, § 19, amended. Section 19 of chapter 153 of the revised statutes is hereby amended to read as follows:

**'Sec. 19. When parents live apart, judge of probate or superior court justice may decree as to care, custody and support; appeals.** If the father and mother of a minor child are living apart from each other, the judge of probate or the superior court justice in the county where either resides, on petition of either **in term time or vacation**, and after such notice to the other as he may order, may decree which parent shall have the exclusive care and custody of the person of such minor or he may apportion the care and custody of the said minor between the parents, as the good of the child may require; and he may order the father of the minor child or children to contribute to the support of such minor child or children such sums payable weekly, monthly or quarterly as are deemed reasonable and just, and may enforce obedience by appropriate decrees, execution issuing for said sums when payable and for costs; which decrees shall be in force until further order of the judge of probate or justice. An appeal shall lie from

such decree or decrees to the supreme court of probate, where originating in the court of probate, or to the supreme judicial court where originating in the superior court, which appeal shall be heard and determined by the justice presiding, but the decrees of the judge of probate original decrees shall be in force until reversed.'