

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1891.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1891.

the first days of October and November, nor to smelts taken in the Penobscot river and its tributaries between the first and fifteenth days of April, nor to smelts taken in Casco bay between the fifteenth day of September and the first day of October.'

Approved March 17, 1891.

CHAP. 68

Chapter 68.

An Act to amend section twenty-six of chapter fifty-nine of the Revised Statutes, respecting the Commitment of Children to Charitable Institutions.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section twenty-six of chapter fifty-nine of the revised statutes is hereby amended, by adding to said section the following words :

Sec. 26, ch. 59,
R. S., amended.

'An order to the same effect may be made by the probate court in any county where either of the parents of a child resides, upon petition of the superintendent of any such public or charitable institution asking for the care, custody and control of such child, if written consent be given as provided in section thirty-three of chapter sixty-seven of the revised statutes. Such orders and decrees shall have the same effect to divest the parents of all legal rights in respects to such child as specified in section thirty-five of said chapter sixty-seven, and said institution shall have full control over said child thereafter, for said time, and have authority alone to give the consent required in said section thirty-three,' so that said section shall read as follows :

'SECT. 26. Upon making such record such municipal officers or some person appointed by them for that purpose, shall make complaint under oath to a judge of a court or to any trial justice, which complaint shall contain, in substance, the allegations set forth in said petition, and a prayer that such provision may be made for the care, custody, support and education of the child named in said complaint as justice requires, and thereupon the magistrate, before whom such complaint is made, shall issue his warrant and cause such child to be brought before him, and if, upon notice and hearing, it appears that the allegations of the complaint are true, and that justice requires that such child shall be supported

Municipal officers may make complaint to court or trial justice.

—proceedings before magistrate.

—magistrate may order child to be placed in charitable institution or with private person.

CHAP. 69

—probate courts
may make order
with same effect.

—such decrees
shall divest
parents of all
legal rights.

and educated away from its parents, he shall order it to such place or institution as is provided therefor by such town or city, or to such charitable institution or private person, as he deems suitable, provided, that such institution or person consents to receive, support and educate it; but such order shall not extend beyond the time when such child arrives at the age of twenty-one years, if a male, or at the age of eighteen years, if a female. An order to the same effect may be made by the probate court in any county where either of the parents of a child resides, upon petition of the superintendent of any such public or charitable institution asking for the care, custody and control of such child, if written consent be given as provided in section thirty-three of chapter sixty-seven of the revised statutes. Such orders and decrees shall have the same effect to divest the parents of all legal rights in respects to such child as specified in section thirty-five of said chapter sixty-seven, and said institution shall have full control over said child thereafter, for said time, and have authority alone to give the consent required in said section thirty-three.'

SECT. 2. This act shall take effect when approved.

Approved March 17, 1891.

Chapter 69.

An Act additional to chapter one hundred and twenty-seven of the Revised Statutes, relating to Malicious Mischief.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Penalty for
driving spikes,
etc., into logs
intended to be
manufactured.

Whoever willfully or maliciously drives or causes to be driven into any log or logs intended to be sawed or manufactured, any nail, spike, bolt, or other article such as is likely to cause injury to or destruction of any saw or instrument used in the manufacture of such logs, or endanger the life or person of any one engaged in such manufacture, shall be punished by fine not less than one hundred dollars or more than five hundred dollars, and imprisonment for not less than one year or more than five years; and shall also be liable to any person injured in an action on the case for double the damages sustained by such person.

Approved March 17, 1891.