

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-THIRD LEGISLATURE
OF THE
STATE OF MAINE
1907.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1907.

CHAP. 99

Chapter 99.

An Act to authorize clergymen to solemnize Marriages.

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

Resident clergymen authorized to solemnize marriages.

Section 1. Any clergyman residing in this state and engaged in the service of the religious body to which he belongs, may solemnize marriages, such facts being first vouched for by certificate signed by the bishop, the presiding elder or the clerk of such religious body, duly filed in the office of the secretary of state. A fee of two dollars shall be paid to the secretary of state upon the filing of such certificate, who shall thereupon issue to such clergyman a certificate under the seal of the state, to the effect that he is authorized to solemnize marriages, and such certificate, or a certified copy thereof, shall be received as evidence in all courts of his authority so to do, and a copy of the record of any marriage solemnized by such clergyman, duly made and kept, attested or sworn to by the clerk of the town in which the marriage intention was recorded or in which the marriage was solemnized shall be received in all courts as evidence of the fact of marriage.

—fee.

—secretary of state shall issue certificate.

Section 2. This act shall take effect when approved.

Approved March 21, 1907.

Chapter 100.

An Act to amend Chapter one hundred forty-four of the Revised Statutes, relating to commitment and support of the insane.

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

Section 5, chapter 144, R. S., amended.

Section 1. Section five of chapter one hundred forty-four of the revised statutes is hereby amended by striking out the words "or municipality" in the eleventh line of said section, and the words "in whole or in part" in the thirteenth line of said section so that said section as amended, shall read as follows:

Patients may be transferred from one insane hospital to the other.

'Section 5. The trustees may transfer any patients from one hospital to the other, whenever, in their judgment, the welfare of the patients or of either institution will be promoted thereby. A copy of the certificate of commitment certified by the superintendent of the hospital in which said patient has been confined, with a certificate signed by the secretary of the trustees, showing that such transfer has been voted by the trustees, shall authorize the superintendent of the hospital to which such patient is transferred to receive and detain him in custody in the same manner as if he had originally been committed to such institution. The

expense attending such transfer shall be paid out of the funds of the hospital receiving such patient and shall be a charge upon the person liable for the board of such patient, and if the board of such patient is paid by the state the expense of such transfer shall be paid by the state out of the appropriation for insane state beneficiaries.'

Section 2. Section ten of chapter one hundred forty-four of the revised statutes is hereby repealed.

Section 3. Section eighteen of chapter one hundred forty-four of the revised statutes as amended by chapter thirty-one of the public laws of nineteen hundred and five is hereby amended by striking out all of said section as amended after the word "commit" in the fourth line, and inserting in place thereof the words 'shall in writing certify that fact to the trustees and that he has no relatives liable and of sufficient ability to pay for his support, and such certificate shall be sufficient evidence in the first instance to charge the town where the insane resided or was found at the time of his arrest for the expenses of his examination and commitment, and to charge the state for the expenses of his support in the hospital, and the treasurer of the hospital shall charge to the state the reasonable expense of his support which shall be paid from the state treasury upon itemized bills therefor when audited and approved by the governor and council, until otherwise provided for by appropriation made for that purpose,' so that said section as amended, shall read as follows:

'Section 18. The officers ordering the commitment of a person unable to pay for his support, or becoming unable to pay for his support after commitment, or their successors, any like officer with power to commit, shall in writing certify that fact to the trustees and that he has no relatives liable and of sufficient ability to pay for his support, and such certificate shall be sufficient evidence in the first instance to charge the town where the insane resided or was found at the time of his arrest for the expenses of his examination and commitment, and to charge the state for the expenses of his support in the hospital, and the treasurer of the hospital shall charge to the state the reasonable expense of his support which shall be paid from the state treasury upon itemized bills therefor audited and approved by the governor and council, until otherwise provided for by appropriation made for that purpose.'

Section 4. Section twenty-two of chapter one hundred forty-four of the revised statutes is hereby amended by inserting the word 'and' after the word "examination" in the fourth line, and by striking out the words "and support in the hospital" after the word "commitment" in the fourth line, and inserting in place

—expense
of transfer,
how paid.

Section 10,
chapter 144,
R. S.,
repealed.
Section 18,
chapter 144,
R. S., as
amended by
chapter 31,
public laws
1905, further
amended.

When
support of
persons
committed
to insane
hospitals
may be
charged
to state.

Section 22,
chapter 144,
R. S.,
amended.

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thereof the words 'to the hospital,' also by striking out the word "but" in the fifth line of said section, and inserting in place thereof the word 'and,' and by striking out the words "such town" in the sixth line of said section, and inserting in place thereof the words 'the state,' so that said section as amended, shall read as follows :

Town where insane person resided, or was found, must pay for his support, unless a bond is given for it.

'Section 22. The certificate of commitment to the hospital after a legal examination, is sufficient evidence, in the first instance, to charge the town where the insane resided, or was found at the time of his arrest, for the expenses of his examination and commitment to the hospital; and when his friends or others file a bond with the treasurer of the hospital in which he is confined the state shall not be liable for his support, unless new action is had by reason of the inability of the patient or his friends longer to support him; and such action may be had in the same manner, and before the same tribunal, as if he had never been admitted to the hospital.'

Section 23, chapter 144, R. S., amended.

Section 5. Section twenty-three of chapter one hundred forty-four is hereby amended by striking out the words "or town" in the first line, so that said section as amended, shall read as follows :

Support when unlawfully committed: with expense of removal.

'Section 23. The person liable for support of a person when lawfully committed to a hospital, is liable therefor, and for the expenses of his removal, when unlawfully committed and removed as provided in section ten; but the expenses of such removal shall not exceed ten cents a mile from the hospital to the place of commitment.'

Section 24, chapter 144, R. S., as amended by chapter 10, public laws 1905, further amended.

Section 6. Section twenty-four of chapter one hundred forty-four of the revised statutes as amended by chapter ten of public laws of nineteen hundred five is hereby amended by inserting after the word "chargeable" in the first line of said section the words 'for the expenses of examination and commitment,' and by striking out the words "commitment and support of the insane at a hospital" in the second and third lines, and inserting in place thereof the words 'examination of the insane and his commitment to a hospital,' so that said section as amended, shall read as follows :

Support of insane paupers, how paid.

'Section 24. Any town thus made chargeable for the expenses of examination and commitment in the first instance, and paying for the examination of the insane and his commitment to a hospital, may recover the amount paid, from the insane, if able, or from persons legally liable for his support, or from the town where his legal settlement is, as if incurred for the expense of a pauper, but if he has no legal settlement in the state, such expenses shall be refunded by the state, and the governor and council shall audit all such claims and draw their warrant on the

—when to be paid by state.

treasurer therefor. And the reasonable expenses and services of the municipal officers of said town relative to such insane person, shall be included in the amount to be so refunded by the state. No insane person shall suffer any of the disabilities of pauperism nor be deemed a pauper, by reason of such support. But the time during which the insane person is so supported shall not be included in the period of residence necessary to change his settlement.'

Section 7. Section twenty-five of chapter one hundred forty-four of the revised statutes is hereby repealed.

Section 8. Section twenty-six of chapter one hundred forty-four of the revised statutes is hereby amended by striking out the words "person or town" in the first line of said section, and inserting in place thereof the words 'guardian or relative,' so that said section as amended, shall read as follows :

'Section 26. A friend, guardian or relative liable for the support of a patient who has been in either hospital for six months, not committed by order of the supreme judicial court nor afflicted with homicidal insanity, thinking that he is unreasonably detained, may apply to the municipal officers of the town where the insane resides, and they shall inquire into the case, and summon before them any proper testimony, and their decision and order shall be binding on the parties. They shall tax legal costs and decide who shall pay them. If such application is unsuccessful, it shall not be made again until the expiration of another six months.'

Section 9. Section twenty-seven of chapter one hundred forty-four of the revised statutes is hereby amended by striking out the word "support" in the first and second lines, and inserting in place thereof the words 'expenses of examination of a patient and his commitment,' and by striking out the words "of a patient at" in the same line and inserting the word 'to' so that said section as amended, shall read as follows :

'Section 27. When the overseers of the poor of a town, liable for the expenses of examination of a patient and his commitment to either hospital, are notified by mail by the superintendent, that he has recovered from his insanity, they shall cause him to be removed to their town; and if they neglect it for fifteen days, the superintendent shall cause it to be done at the expense of such town.'

Section 10. Section forty-two of chapter one hundred forty-four of the revised statutes is hereby repealed.

Section 11. This act shall not affect the liability of any person who is under contract with any city or town for the support of its insane poor, but such contractor shall pay to the city or town whose insane poor he has contracted to support, the expenses of

Section 25,
chapter 144,
R. S.,
repealed.
Section 26,
chapter 144,
R. S.,
amended.

Those liable
for the
support of
a patient,
may apply
for his
discharge.

Section 27,
chapter 144,
R. S.,
amended.

Overseers of
the poor,
shall remove
a patient,
when
notified.

Section 42,
chapter 144,
R. S.,
repealed.
Shall not
affect
liability of
person under
contract to
support
insane poor.

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the support of such insane poor in the hospital, during the continuance of his contract, in accordance with the provisions of statute in force at the time such contract was made.

State may recover.

Section 12. The state may recover from the insane, if able, or from persons legally liable for his support, the reasonable expenses of his support in the insane hospital.

Inconsistent acts repealed.

Section 13. All acts and parts of acts inconsistent with this act, are hereby repealed.

When act shall take effect.

Section 14. This act shall take effect January first, nineteen hundred and ten.

Approved March 22, 1907.

Chapter 101.

An Act to amend Sections forty-one, forty-two and forty-three of Chapter fifteen of the Revised Statutes, relating to District Superintendents of Schools.

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

Section 41, chapter 15, R. S., amended.

Section 1. Section forty-one of chapter fifteen of the revised statutes is hereby amended by inserting in line eleven after the word "respectively" the words 'and to the state superintendent of schools,' also by striking out lines fourteen and fifteen of said section, so that said section as amended, shall read:

School committees of such towns, shall form a joint committee.

'Section 41. The school committees of the towns comprising a union shall form a joint committee, and for the purposes of this section and the four following sections, said joint committee shall be held to be the agents of each town comprising the union. Said joint committee shall meet annually at a day and place agreed upon by the chairman of the committees of the several towns comprising the union and shall organize by the choice of a chairman and a secretary. They shall determine the relative amount of service to be performed by the superintendent in each town, fix his salary, apportion the amounts thereof to be paid by the several towns, which amount shall be certified to the treasurers of said towns respectively and to the state superintendent of schools, together with the amount apportioned to each town; provided, that the amounts so certified shall be in proportion to the amount of service performed in the several towns. They shall choose by ballot a superintendent of schools for a term not exceeding five years.'

--shall meet annually.

--choose chairman and secretary. --duties.

--shall choose superintendent of schools.

Section 42, chapter 15, R. S., amended.

Section 2. Section forty-two of said chapter is hereby amended by striking out all after the word "oath" in the second line of said section and inserting instead the following: 'to the state superintendent of schools, according to form prescribed by him, that a union has been maintained and a superintendent