

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

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

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AUGUSTA  
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth  
Legislature

1909

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**CHAP. 79**

Inconsistent  
acts re-  
pealed.

Section 12. The provisions of sections thirty-three and thirty-six of chapter eighteen of the revised statutes so far as those sections relate to the reporting of cases of pulmonary tuberculosis, or consumption, and all acts and parts of acts contrary to or inconsistent with the provisions of this act are hereby repealed.

Approved March 16, 1909.

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**Chapter 79.**

An Act to amend Chapter forty-three of the Public Laws of nineteen hundred and seven, entitled "An Act for the protection of Children."

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

Section 45,  
chapter 61,  
R. S., as  
amended by  
section 4,  
chapter 123,  
public laws,  
1905, as  
amended by  
section 4,  
chapter 43,  
public laws,  
1907,  
further  
amended.

Section forty-five of chapter sixty-one of the revised statutes of nineteen hundred and three as amended by section four of chapter one hundred and twenty-three of the public laws of nineteen hundred and five, and further amended by section four of chapter forty-three of the public laws of nineteen hundred and seven, is hereby further amended by adding at the end of said section forty-five the following sentences:

'An appeal by the parents or parent, or the guardian or lawful custodian of said child or children shall be allowed as in other civil cases in the same court, and when the case is in the probate court no appeal bond shall be required of the appellant. In all cases where an appeal is taken the order or decree which is appealed from shall be in force until reversed,' so that said section when amended shall read as follows:

Judge of  
any court  
shall, on  
complaint,  
order hear-  
ing on  
cases of  
alleged  
abuse of  
children.

'Section 45. When complaint in writing, signed by any such agent so appointed or any officer or agent of any society for the protection of children or the prevention of cruelty to the same, or by three or more citizens of any town or city, is made under oath to the judge of any court in the county in which said town or city is located, alleging that such child in said town or city is cruelly treated or wilfully neglected by its parents or parent, or by the wilful failure of such parents or parent is not provided with suitable food, clothing or the privileges of education, or is kept at or allowed to frequent any disorderly house, house of ill fame, gambling place or place where intoxicating liquors are sold, or other place injurious to health or morals, or that such child is an orphan without means of support or kindred of sufficient ability who will furnish such support, and praying that suitable and proper provision may be made for the care, custody, support and

education of the child named in such complaint; the magistrate or judge to whom such complaint is made shall issue his warrant and cause such child to be brought before him, and notice to be given to its parents or parent, if any, for such length of time as the judge may see fit either by service in hand or publication in such manner as the judge may direct, and the judge may if he deems it necessary in his discretion continue the case for hearing, and if upon hearing it appears that the allegations of said complaint are true, and that it is suitable and proper that such child shall be supported and educated away from its parents or parent, he shall order it into the care and custody of 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 said child; 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, and pending any such continuance of the case before hearing and after hearing and until such institution or person can be found, the magistrate or judge may in his discretion, if the circumstances appear to require it, order said child temporarily into the custody of any such agent so appointed, or of any such institution or suitable person consenting to receive said child, and the expense of the support of said child during such period until permanent provisions can be made therefor, in the manner above specified, shall be paid by the town in which said child resides, and said town may recover the amount thereof from the parents or parent of said child, if any, as provided in section fifty of this chapter. An appeal by the parents or parent, or the guardian or lawful custodian of said child or children shall be allowed as in other civil cases in the same court, and when the case is in the probate court no appeal bond shall be required of the appellant. In all cases where an appeal is taken the order or decree which is appealed from shall be in force until reversed.'

—judge may order child into care of suitable person or institution.

—support of child, how paid for.

—appeal by parents shall be allowed.

Approved March 16, 1909.

### Chapter 80.

An Act to amend Section thirteen, paragraph two of Chapter nine of the Revised Statutes, relating to Taxation of Personal Property.

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

Section 1. The second paragraph of section thirteen of chapter nine of the revised statutes is hereby amended by

Paragraph 2, section 13, chapter 9, R. S., amended.