

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the
Seventy-Seventh Legislature held in 1916.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Eighth Legislature

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as the last will and testament of the deceased, the copy shall be filed and recorded, and the will shall have the same effect as if originally proved and allowed in the said court.

Approved March 26, 1917.

Chapter 87.

An Act to Amend Section Fifty-nine of Chapter Four of the Revised Statutes, Relating to Appropriation by Cities and Towns for Advertising.

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

R. S., c. 4, § 59, relating to appropriations by towns for advertising, amended. Section fifty-nine of chapter four of the revised statutes is hereby amended by striking out the words in the second line thereof "having not more than fifty thousand inhabitants," so that said section, as amended, shall read as follows:

'Sec. 59. Appropriation may be made by any town or city. Any city or town may appropriate any sum, not exceeding one mill on a dollar, based on the valuation of the preceding year, to be expended and used for advertising the natural resources, advantages and attractions of such city or town.'

Approved March 26, 1917.

Chapter 88.

An Act Additional to and Amendatory of Chapter One Hundred Thirty-nine of the Revised Statutes, Relating to Insane Inmates of the Reformatory for Women.

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

R. S., c. 139, relating to disposal of insane criminals, supplemented. Chapter one hundred thirty-nine of the revised statutes is hereby amended by adding thereto the following sections:

'Sec. 15. Reformatory for women; preliminary proceedings when inmate becomes insane or is feeble minded. Whenever a woman committed to the reformatory for women has become insane, or in the opinion of the superintendent thereof is in such a condition that she is a fit subject for the Maine School for Feeble Minded, the superintendent shall notify the reformatory physician of the fact, and the reformatory physician shall forthwith investigate the case and make a personal examination of such woman; and if such physician finds such woman to be insane or a fit subject for the Maine School for Feeble Minded he shall forthwith certify such fact in writing to the superintendent. Said superintendent shall apply in writing to the judge of the Western Somerset municipal court in the county of Somerset stating the facts connected therewith and praying that the condition of such woman may be inquired into and such decree made as to her commitment as justice may require.'

Sec. 16. Court proceedings. Such judge shall thereupon appoint a time and place for a hearing by him of the allegations of such application and shall cause a true copy of such application to be given in hand to the person so alleged to be insane or a fit subject for the Maine School for Feeble Minded, at least twenty-four hours prior to the time of said hearing, together with a notice of the time and place of said hearing, and that she has a right and will be given an opportunity then and there to be heard in the matter; he shall call before him all testimony necessary for the full understanding of the case, and shall personally examine and interview such person, whether she shall or shall not appear at such hearing, and shall require and receive evidence of at least two reputable physicians not in the employ of the reformatory for women, all such evidence being given under oath before such judge, with the certificate signed by such physicians and filed with the papers in the case, that in their opinion such person is or is not insane or is or is not a fit subject for Maine School for Feeble Minded. Such evidence and certificate shall be based upon due inquiry and personal examination of the person to whom insanity is imputed or who is alleged to be a fit subject for Maine School for Feeble Minded. At said hearing the judge shall appoint a guardian ad litem for the person so alleged to be insane or a fit subject for Maine School for Feeble Minded, and may in his discretion appoint counsel for such person. The compensation for such guardian and counsel shall be fixed by the judge and included in the expense of the proceedings to be paid by the state.'

Sec. 17. Manner of commitment. If upon the foregoing proceedings such judge shall determine that such woman committed to the reformatory for women is insane or that she is a fit subject for the Maine School for Feeble Minded and that her comfort and safety, or that of others interested, or her welfare will thereby be promoted, he shall, in case such person is insane, commit her to one of the insane hospitals, with a certificate stating the fact of her insanity and directing that she shall be received and detained accordingly until she is restored or discharged by law; or in case such woman is a fit subject for the Maine School for Feeble Minded he shall commit her to said school by order of commitment directed to the hospital trustees, directing that she shall be received and detained accordingly until she is restored or discharged by law, providing that no order of commitment to the Maine School for Feeble Minded be made until application for admission of such person has first been made to the hospital trustees by the superintendent of said reformatory, which application shall be placed on file at the Maine School for Feeble Minded and evidence thereof presented to the judge accompanied by a certificate of the superintendent of said Maine School for Feeble Minded, stating in substance that such person will be received under provision of section fifty-one of chapter one hundred forty-five of the revised statutes. The certificate of said judge shall state the town in which the woman committed to the reformatory for women, so committed, resided at the time of her original commitment to the reformatory for women. A certified copy of the certificate, signed by the reformatory physician shall accompany such order of commitment made hereunder, and said judge shall

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keep a record of his doings and furnish a copy to any interested person requiring and paying for it.'

'Sec. 18. R. S., c. 139, § 8, 9 and 11 applicable. The provisions of sections eight, nine and eleven of chapter one hundred thirty-nine of the revised statutes are hereby extended to and made applicable to the case of any woman committed from the reformatory for women in the foregoing manner, except that said fees and costs shall be audited and allowed by the state auditor and shall be paid by the state.'

Approved March 26, 1917.

Chapter 89.

An Act to Refund a Certain Bond Issued in Favor of the Trustees of the Maine Insane Hospital.

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

State treasurer to refund bond formerly issued to Trustees of Maine Insane Hospital. For the purpose of refunding and paying an un-negotiable registered bond of the State of Maine for the sum of fifty thousand dollars, bearing interest at the rate of four per cent. per annum, issued to the Trustees of the Maine Insane Hospital, as provided in chapter seventy of the resolves of eighteen hundred eighty-seven, the treasurer of the state be, and hereby is, authorized and directed to issue to the hospital trustees for the benefit of the Augusta State Hospital, formerly the Maine Insane Hospital, an un-negotiable registered bond, for the sum of fifty thousand dollars, bearing interest at the rate of four per cent per annum, payable semi-annually, on the first days of January and July of each year, at the treasurer's office; said bond shall be payable in thirty years from the first day of July in the year of our Lord one thousand nine hundred seventeen, and shall be signed by the treasurer, countersigned by the governor, and attested by the state auditor; and the state treasurer and his successors in office shall pay to the treasurer of said hospital, the interest on said bond until its maturity.

Approved March 26, 1917.

Chapter 90.

An Act to Amend Section Thirty-four of Chapter One Hundred Forty-five of the Revised Statutes, Relating to Temporary Leave of Absence of Patients from Insane Hospitals.

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

R. S., c. 145, § 34, relating to inmates of institutions for the insane leaving temporarily. Section thirty-four of chapter one hundred forty-five of the revised statutes is hereby amended by adding thereto the words: 'The superintendent of either hospital with the approval of the board of trustees may on receipt of formal application in writing before the date