

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-first Legislature

OF THE

STATE OF MAINE

1923

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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KENNEBEC JOURNAL PRINT SHOP  
AUGUSTA, MAINE  
1923

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Eighty-First Legislature

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by order of the governor and council. Whenever practicable the travel shall be permitted to pass over a state highway under construction and the commission shall then cause to be erected the following sign at either end of the construction work: "State road under construction. Pass at your risk. Maine State Highway Commission." Upon completion of the state highway the commission shall cause the immediate removal of all such signs as also all detour signs. In all state and state aid highway construction and maintenance the commission shall have the powers of municipal officers conferred by section twenty-six of chapter twenty-two of the revised statutes relating to construction and maintenance of ditches and drains, and the powers conferred upon municipal officers and road commissioners by section one hundred and four of chapter twenty-four of the revised statutes as hereby amended. The commission shall whenever practicable give preference in employment to the inhabitants of the town in which such highways are located.'

Approved April 4, 1923.

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## Chapter 160.

An Act Additional to and Amendatory of Chapter One Hundred and Thirty-nine of the Revised Statutes, as Amended by Chapter Eighty-eight, Public Laws of Nineteen Hundred Seventeen, Relating to Transfer of Insane or Feeble Minded Inmates.

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

Sec. 1. P. L., 1917, c. 88, sec. 15; relating to commitments of insane inmates of reformatory for women to school for feeble-minded, amended. Section fifteen of chapter eighty-eight of the public laws of nineteen hundred seventeen, is hereby amended by inserting after the word "woman" in the second line the words 'a man committed to the reformatory for men; a girl committed to the state school for girls or a boy committed to the state school for boys'; by inserting after the word "she" in the third line the words 'or he'; by striking out the word "reformatory" in two places in the fifth line and inserting in place thereof the word 'institutional'; by striking out the word "woman" in two places in the seventh line and inserting in place thereof the word 'person'; by striking out the words "Western Somerset" in the tenth line; by inserting after the word "court" in the tenth line the words 'having jurisdiction of offenses in the town where such institution is located'; by striking out the words "in the county of Somerset" in the tenth and eleventh lines; by striking out the word "woman" in the twelfth line and inserting in place thereof the word 'person,' and by inserting after the word "her" in the thirteenth line the words 'or his,' so that said section, as amended, shall read as follows:

'Sec. 15. Provisions extended so as to include inmates of reformatory

for men, state school for boys and state school for girls. Whenever a woman committed to the reformatory for women, a man committed to the reformatory for men, a girl committed to the state school for girls or a boy committed to the state school for boys has become insane, or in the opinion of the superintendent thereof is in such a condition that she or he is a fit subject for the Maine School for Feeble Minded, the superintendent shall notify the institutional physician of the fact, and the institutional physician shall forthwith investigate the case and make a personal examination of such person; and if such physician finds such person 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 municipal court having jurisdiction of offenses in the town where such institution is located, stating the facts connected therewith and praying that the condition of such person may be inquired into and such decree made as to her or his commitment as justice may require.'

**Sec. 2. P. L., 1917, c. 88, sec. 16; relating to court proceeding for commitments, amended.** Section sixteen of said chapter is hereby amended by inserting after the word "she" in the seventh line the words 'or he'; by inserting after the word "matter" in the eighth line the words 'if such person is a minor, notice shall also be given to his or her parents or guardian, if known, as the court may order'; by inserting after the word "she" in the tenth line the words 'or he,' and by striking out the words "the reformatory for women" in the twelfth line and inserting in place thereof the words 'either of said institutions,' so that said section, as amended, shall read as follows:

'**Sec. 16.** If person is a minor, notice of proceedings to be given to parents or guardian. 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 of the time of said hearing, together with a notice of the time and place of said hearing, and that she or he has a right and will be given an opportunity then and there to be heard in the matter; if such person is a minor, notice shall also be given to his or her parents or guardian, if known, as the court may order; 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 or he 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 either of said institutions, all such evidence being given under oath before such judge, with the certificate signed by such physicians and filed with the

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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. 3. P. L., 1917, c. 88, sec. 17; relating to manner of commitment, amended. Section seventeen of said chapter is hereby amended by striking out the words "woman committed to the reformatory for women" in the second and third lines and inserting in place thereof the words 'person so committed'; by inserting after the word "she" in the third line the words 'or he'; by inserting after the word "her" in the fourth line the words 'or his'; by inserting after the word "her" in the fifth line the words 'or his'; by inserting after the word "her" in the sixth line the words 'or him'; by inserting after the word "her" in the seventh line the words 'or his'; by inserting after the word "she" in both the seventh and eighth lines the words 'or he'; by striking out the word "woman" in the ninth line and inserting in place thereof the word 'person'; by inserting after the word "her" in the tenth line the words 'or him'; by inserting after the word "she" in both the eleventh and twelfth lines the words 'or he'; by striking out the words "said reformatory" in the fifteenth line and inserting in place thereof the words 'such institution'; by striking out the words "woman committed to the reformatory for women" in the twenty-first and twenty-second lines and inserting in place thereof the word 'person'; and by striking out the words "her" and "to the reformatory for women" in the twenty-third line, and by striking out the word "reformatory" in the twenty-fourth line and inserting in place thereof the word 'institutional,' so that said section, as amended, shall read as follows:

'Sec. 17. Phraseology changed so as to include commitments from reformatory for men, state school for girls and state school for boys. If upon the foregoing proceedings such judge shall determine that such person so committed is insane or that she or he is a fit subject for the Maine School for Feeble Minded and that her or his comfort and safety, or that of others interested, or her or his welfare will thereby be promoted, he shall, in case such person is insane, commit her or him to one of the insane hospitals, with a certificate stating the fact of her or his insanity and directing that she or he shall be received and detained accordingly until she or he is restored or discharged by law; or in case such person is a fit

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subject for the Maine School for Feeble Minded he shall commit her or him to said school by order of commitment directed to the hospital trustees, directing that she or he shall be received and detained accordingly until she or he 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 such institution, 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 person so committed resided at the time of original commitment. A certified copy of the certificate, signed by the institutional physician, shall accompany such order of commitment made hereunder, and said judge shall keep a record of his doings and furnish a copy to any interested person requiring and paying for it.'

Sec. 4. P. L., 1917, c. 88, sec. 18; relating to application of R. S., c. 139, sec. 8, 9 and 11, amended. Section eighteen of said chapter is hereby amended by inserting after the word "woman" in the fourth line the words 'any man committed from the reformatory for men, any girl committed from the state school for girls and any boy committed from the state school for boys,' so that said section, as amended, shall read as follows:

'Sec. 18. Provisions of R. S., c. 139, sec. 8, 9 and 11, applicable to commitments from above institutions. 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, any man committed from the reformatory for men, any girl committed from the state school for girls and any boy committed from the state school for boys, 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 April 4, 1923.

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## Chapter 161.

An Act to Encourage and Provide for a System of Uniform Accounting in Cities, Towns and Village Corporations.

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

Sec. 1. Cities, towns and village corporations may have accounts audited by state auditor, or have accounting system installed. Any city, town or village corporation in the state may petition the state auditor