

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Eighty-seventh and Eighty-eighth  
Legislatures

OF THE

STATE OF MAINE

From April 7, 1935 to April 24, 1937

AND MISCELLANEOUS STATE PAPERS

---

Published by the Secretary of State, in conjunction  
with the Revisor of Statutes in accordance with the  
Resolves of the Legislature approved June 28, 1820,  
March 18, 1840, March 16, 1842, and Acts approved  
August 6, 1930 and April 2, 1931.

---

KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1937

---

---

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-Eighth Legislature

1937

---

---

## CHAP. 5

tracts shall remain binding but no contract shall be renewed or made terminating later than June 30, ~~1938~~. 1940 excepting that in case of unions already regrouped or not subject to further regrouping the term of the election of a superintendent may be made for a period not exceeding 5 years. A committee of 3, who shall act with the commissioner in the matter of regrouping shall be appointed by the governor and council. Said committee shall serve until July 1, ~~1938~~. 1940. The necessary travel expense of said committee shall be paid by the state and there is hereby appropriated for this purpose a sum not exceeding \$300. Provided, however, that any superintending school committee of a town dissatisfied with the combination proposed by the commissioner of education and the committee to include that town may appeal to the governor and council who shall make the final decision relative thereto. The unions formed under the provisions of sections 62 to 73 shall be effective July 1, ~~1938~~. 1940. Whenever, upon the representation of the superintending school committee of any town, it shall appear to the commissioner of education to be to the advantage of said town and of the state to change the combination of towns composing the union of which said town is a part, the commissioner of education shall have authority to direct the dissolution and organization of unions so that a more advantageous combination may be effected. Provided, however, that any superintending school committee of a town dissatisfied with the change in the combination proposed by the commissioner of education to include that town may appeal to the governor and council, who shall make the final decision relative thereto.'

Approved February 25, 1937.

---

---

## Chapter 5

### AN ACT Relating to Complaint in Cases of Neglect to Children.

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

P. L., 1933, c. 1, § 204, amended. Section 204 of chapter 1 of the public laws of 1933 is hereby amended to read as follows:

'Sec. 204. Warrants to be issued on complaint of cases of neglect to children; child may be given into custody of individual or child welfare institution; court may direct municipal board to care for child pending hearing. When complaint in writing signed by an agent of the department, sheriff, county probation officer, police officer, member of a municipal board or by 3 or more citizens of any town or city is made under oath to the probate court of the county or the municipal court hav-

ing jurisdiction in said city or town, alleging that such child in such city or town 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 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 places injurious to the health and 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 be made for the care, custody, support and education of the child named in such complaint, the court to whom such complaint is made shall issue a warrant causing the parents or other persons having custody or control of such child, if any, and the child, if necessary, to be brought before it, or shall cause notice to be given to said parents or said other persons in such manner or in such length of time as the court deems proper. The court shall cause notice in writing to be given by mail or otherwise to the department, to the municipal board of the town, and to the county attorney of the county where the child is residing at least 10 days before the date set for the hearing, provided, however, that the department and the municipal board and the county attorney may waive such notice. It shall be the duty of the county attorney to represent the interests of the department at the hearing. If, upon hearing, it shall appear that any material allegations of said complaint are true, the court may order said child committed into the custody of any suitable person or duly incorporated children's institution or child welfare organization consenting to receive same, at their own expense, unless the payment of such expense by the state shall be approved by the department which approval and payment may at any time be withdrawn, whose standards of care and maintenance are approved by the department or into the custody of the department itself. The court shall cause a copy of the order of commitment and of any subsequent modifications thereof to be sent forthwith to the department. The court may direct the municipal board where the child is residing to make such provision for its care as may be necessary pending hearing, and the expense, if any, of such care shall be paid by the town or city in which the child has a lawful settlement. When any child has been committed to the custody of the department under the provisions of this section, the court may order the parent of such child to contribute to the support of his minor child or children such sums payable weekly, monthly, or quarterly, as deemed reasonable and just, and may enforce obedience by appropriate decrees. Execution may also issue for said sums, when payable and for costs as in actions of tort. Whoever being a parent of any child committed under this section shall be found guilty of having without just and sufficient cause failed or neglected to support said child shall be punished by a fine of not more than \$1,000 or by imprisonment for not more

## CHAP. 7

than 11 months or by both such fine and imprisonment. It shall be the duty of the county attorneys in their respective counties to prosecute all violations of this section that are brought to their attention.'

Approved February 25, 1937.

## Chapter 6

### AN ACT Relating to Cheating by False Pretenses.

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

R. S., c. 138, § 1, amended. Section 1 of chapter 138 of the revised statutes is hereby amended to read as follows:

'Sec. 1. Cheating by false pretenses; penalty. Whoever, designedly and by any false pretense or privy or false token, and with intent to defraud, obtains from another any money, goods or other property, the making of a loan, or credit, the extension of credit, the discount of an account receivable or what is represented to be an account receivable, or the making, acceptance, discount, sale, or indorsement of a bill of exchange, bank check, or promissory note, or his signature to any written instrument, the false making of which is forgery, or whoever knowingly, and with intent to defraud, sells, conveys, mortgages, or pledges to another, personal property on which there is an existing mortgage, or to which he has no title, without notice to the purchaser, of such mortgage, or of such want of title, is guilty of cheating by false pretenses and shall be punished by a fine of not more than \$500, or by imprisonment for not more than 7 years.'

Approved February 25, 1937.

## Chapter 7

### AN ACT Relating to Divorce.

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

R. S., c. 73, § 11, amended. Section 11 of chapter 73 of the revised statutes is hereby amended to read as follows:

'Sec. 11. New trial within 3 years, when granted. Within 3 years after judgment on a libel for divorce, a new trial may be granted as to the divorce when the parties have not cohabited, nor either contracted a new marriage since the former trial. ~~and when either of the parties has contracted a~~