

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth  
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

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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.

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AUGUSTA, MAINE  
1939

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

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**CHAP. 162**

the overseers of the town of residence may cause him to be removed to that town in the manner provided in section 37 of the town of settlement by a written order directed to a person named therein, who is authorized to execute it; and the overseers of the town to which he is sent shall receive him and provide for his support; and their town is estopped to deny his settlement therein, in an action brought to recover for the expenses incurred for his previous support and for his removal.'

Approved April 1, 1939.

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## Chapter 161

### AN ACT Relating to Paupers.

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

R. S., c. 33, § 39, amended. Section 39 of chapter 33 of the revised statutes is hereby amended to read as follows:

'Sec. 39. Towns may recover of paupers. A town which has incurred expense for the support of a pauper, whether he has a settlement in that town or not, may recover it of him, his executors or administrators, in an action of assumpsit. If such pauper has no settlement within the state and the town is reimbursed by the state for the expense incurred for the support of such pauper, the state may recover it in the manner hereinbefore provided.'

Approved April 1, 1939.

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## Chapter 162

### AN ACT Relating to Transfer of Inmates of State Institutions.

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

P. L., 1933, c. 1, § 316, amended. Section 316 of chapter 1 of the public laws of 1933 is hereby amended to read as follows:

'Sec. 316. Transfer of inmate to other institution; original sentence to continue. Any person who is committed to a state, charitable or correctional institution, and is under the control of the department, who becomes insane, or who is found to be insane by the examination authorized by the preceding section, shall be transferred to either of the state hospitals, and any person who is committed to a state correctional or charitable institution and is under the control of the department, who in the opinion of the

superintendent thereof is in such condition that he or she is a fit subject for the Pownal state school, shall be transferred to the Pownal state school whenever, in the judgment of the commissioner, the welfare of the patients and inmates, or of either institution, or of the person will be promoted thereby. A copy of the certificate of original commitment certified by the head of the institution in which said person is confined and a certificate from a regular practicing physician in the state certifying that the person committed is feeble minded or insane, as the case might be, with an order of transfer signed by the commissioner shall authorize the superintendent of the institution to receive and detain the said person, as above provided for.

Such patient shall be there detained in custody in the same manner as if he or she had been committed thereto originally. The transfers authorized in this and the preceding section shall have no effect on the original sentences which shall continue to run, and if the original sentence has not expired when the patient has been declared ready for discharge or release, the patient shall be returned to the institution to which he or she was originally committed. ~~If the original sentence expires while the patient is in the charge of the institution, the patient shall be discharged therefrom under the same conditions as if the patient had originally been committed thereto.~~ If prior to the expiration of the original sentence it is the opinion of the superintendent of the institution which has charge of the patient that the patient should remain in charge of the institution after the expiration of such sentence, the patient may be recommitted to either of the state hospitals upon complaint of the superintendent of the institution which has charge of the patient under the provisions of sections 411 and 412 of this chapter; or to the Pownal state school under the provisions of section 451 of this chapter.

The expense attending such transfers shall be paid from funds available for the use of the institution from which or to which such person is transferred.

Approved April 5, 1939.

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## Chapter 163

### AN ACT Amending the Unemployment Compensation Law Relating to Benefits.

**Emergency preamble.** Whereas on the 18th day of December, 1936 there was passed to be enacted by the legislature of Maine and approved by the governor an emergency measure entitled "An Act Relating to Unemployment Compensation" and