

# 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  
Ninetieth and Ninety-first  
Legislatures  
OF THE  
STATE OF MAINE  
From April 26, 1941 to April 9, 1943  
AND MISCELLANEOUS STATE PAPERS

---

Published by 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  
1943

---

---

**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-first Legislature

**1943**

---

---

statutes, as amended by chapter 235 of the public laws of 1941, is hereby further amended to read as follows:

'Sec. 94. Court may appoint referees. In all cases in the supreme judicial or in the superior court in which the parties agree that the same may be tried by 1 or more persons as referees, the court may appoint the same, not exceeding 3, whose fees and necessary expenses shall be paid by the county on presentation of the proper certificate of the clerk of courts for that county, and the amount thereof shall be fixed by the court upon the coming in of the report.

No fee or compensation other than his necessary expenses shall be paid any justice of the supreme judicial or of the superior court, for his services as referee, but this provision shall not apply to an active retired justice.'

Effective July 9, 1943

---

---

## Chapter 86

### AN ACT Relating to Desertion and Non-support of Families.

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

R. S., c. 129, § 44, amended. Section 44 of chapter 129 of the revised statutes is hereby amended to read as follows:

'Sec. 44. Desertion of wife or children in destitute circumstances, or wilful non-support, when a felony; penalty; court may direct fine to be paid to wife; or may order respondent to make weekly payments. Whoever without lawful excuse deserts his wife when such wife is in destitute or necessitous circumstances, or, being able by means of his property or labor to provide for the necessary support and maintenance of his wife without lawful excuse, wilfully, neglects or refuses to provide such support and maintenance when such wife is in destitute or necessitous circumstances, or whoever without lawful excuse deserts his or her minor child or children under the age of 16 years or being able by means of his or her property or labor to provide for the necessary support and maintenance of his or her minor child or children under said age, wilfully neglects or refuses to provide such support and maintenance when such child or children are in destitute or necessitous circumstances, when such offense is of a high and aggravated nature shall be deemed guilty of a felony and on conviction thereof shall be punished by a fine of not more than \$500, or by imprisonment with or without hard labor for not more than 2 years, or by both such fine and imprisonment, and if a fine is imposed, the court may direct that it be paid in whole or in part to the wife or to

## CHAP. 87

the guardian or custodian of the minor child or children; provided that, before the trial, with the consent of the defendant, or after conviction, instead of imposing the punishment hereinbefore provided, or in addition thereto, the court in its discretion having regard to the circumstances and to the financial ability or earning capacity of the defendant, may make an order, which shall be subject to change by it from time to time as circumstances may require, directing the defendant to pay a certain sum weekly for the space of 1 year to the wife, or to the guardian or custodian of the minor child or children, or to an organization or individual approved by the court, as trustee, and to release the defendant from custody on probation for the space of 1 year, and may in its discretion order said defendant to enter into a recognizance with sureties, in such sum as the court may direct. The condition of the recognizance shall be such that if the defendant shall make his or her personal appearance in court whenever ordered to do so within the year, and shall further comply with the terms of the order and of any subsequent modification thereof, then the recognizance shall be void, otherwise in full force and effect. ~~upon his or her entering into a recognizance with sureties, in such sum as the court may direct. The condition of the recognizance shall be such that if the defendant shall make his or her personal appearance in court whenever ordered to do so within the year, and shall further comply with the terms of the order and of any subsequent modification thereof, then the recognizance shall be void, otherwise in full force and effect.'~~

Effective July 9, 1943

---

---

## Chapter 87

### AN ACT Relating to the Stipend for Agricultural Societies During the War Emergency.

**Preamble.** Whereas, the United States is now engaged in a war with foreign nations, and

Whereas, legally incorporated agricultural societies in the state may not be able to operate during the war emergency, and

Whereas, it is deemed desirable to continue to render financial aid to such societies; now therefore,

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

**Sec. 1.** Stipend to agricultural societies for duration of war. Notwithstanding the provisions of sections 25 and 26 of chapter 39 of the revised statutes of 1930, as amended, if during the war emergency or due to any