

# MAINE STATE LEGISLATURE

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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

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-first Legislature

**1943**

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## CHAP. 289

of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1.** State highway commission to cooperate with commissioner of public roads of the United States; contracts. The state highway commission, upon request of the commissioner of public roads of the United States, is hereby authorized to cooperate with the Public Roads Administration in the making of surveys, plans, specifications, and estimates for, and in the construction and maintenance of, flight strips and of roads and bridges necessary to provide access to military and naval reservations, to defense industries and defense-industry sites, and to sources of raw materials, and for replacing existing highways and highway connections shut off from general public use at military and naval reservations and defense-industry sites, and, notwithstanding any other provision of law, may enter into contracts in any manner approved by the commissioner of public roads for the construction of any such flight strips or roads, or may perform such construction and maintenance work by force account, whether such construction and maintenance work is paid for in whole by federal funds or in part by federal funds and in part by funds provided by the state or any of its subdivisions.

**Sec. 2.** Duration of act. This act shall remain in force during the present war and for 6 months after the termination of said war.

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective April 3, 1943

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## Chapter 289

### AN ACT Relating to Proceedings in the Probate Court—Birth Records of Children Proposed for Adoption.

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

R. S., c. 80, § 37, amended. Section 37 of chapter 80 of the revised statutes, as amended, is hereby further amended to read as follows:

**‘Sec. 37.** Proceedings in the probate court. Upon the filing of a petition for the adoption of a minor child the court may in its discretion notify the state bureau of social welfare. It shall then be the duty of the bureau, either through its own workers or through a delegated agency, to verify the allegations of the petition, to investigate the conditions and antecedents

of the child for the purpose of ascertaining whether he is a proper subject for adoption; and to make appropriate inquiry to determine whether the proposed home is suitable for the child. This information shall, as soon as practicable, be submitted by the bureau to the court in writing with a recommendation as to the granting of the petition. Thereupon, if the judge is satisfied of the identity and relations of the parties, of the ability of the petitioners to bring up and educate the child properly, having reference to the degree and condition of his parents, and of the fitness and propriety of such adoption, he shall make a decree, setting forth the facts, and declaring that from that date such child is the child of the petitioners, and that his name is thereby changed, without requiring public notice thereof. The court may require that the child shall have lived for 1 year in the home of the petitioners before the petition is granted, and may also require that the child, during all or part of said probationary period, shall be under the supervision of the bureau of social welfare or a licensed child placing agency. The judge of probate having jurisdiction ~~may~~ shall require a certified copy of the birth record of the child proposed for adoption to be ~~filed~~ presented with any petition for adoption, provided such certificate can be obtained or can be made available by filing a delayed return of birth, which certificate of birth and an attested copy of the certificate of adoption on a form prescribed and furnished by the state registrar of vital statistics forthwith be filed by the register of probate with the ~~state bureau of vital statistics~~ said state registrar, and, if the birth occurred within the state, with the town clerk of the town wherein the child was born, and any certificate of the birth of such child thereafter issued shall be issued in accordance with the facts contained in the certificate of adoption.'

Effective July 9, 1943

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## Chapter 290

### AN ACT Relating to the Appointment of Guardians of Persons Resident out of the State.

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

R. S., c. 80, § 4, amended. The first paragraph of section 4 of chapter 80 of the revised statutes is hereby amended to read as follows:

'The judge of probate may appoint guardians to the following persons ~~belonging to~~ resident in his county, or resident out of the state, being under foreign guardianship or conservatorship, and having estate in his county, although over 21 years of age, on written application of any of their friends, relatives, or creditors, or of the municipal officers or over-