

# 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**

---

---

## CHAP. 323

the age of 17 years charged as an accessory to any offense committed by a child under the age of 17 years, such offense shall be deemed to be the same as if committed by a person over 17 years of age.'

Sec. 2. R. S., c. 144, § 5-B, amended. Section 5-B of chapter 144 of the revised statutes, as enacted by section 5 of chapter 118 of the public laws of 1933, and as amended, is hereby further amended to read as follows:

'Sec. 5-B. Powers of court in juvenile cases. A municipal court may place children under the age of 17 years under the supervision, care, and control of a probation officer or an agent of the department of health and welfare or may order the child to be placed in a suitable family home subject to the supervision of a probation officer or the department of health and welfare or may commit such child to the department of health and welfare or make such other disposition as may seem best for the interests of the child and for the protection of the community including holding such child for the grand jury or commitment of such child to the Pownal state school upon certification of 2 physicians who are graduates of some legally organized medical college and have practiced 3 years in this state, that such child is mentally defective and that his or her mental age is 12 years or under, or to the state school for boys or state school for girls; but no boy shall be committed to the state school for boys who is under the age of 11 years and no girl shall be committed to the state school for girls who is under the age of 9 years, and no municipal court shall sentence a child under the age of 17 years to jail, reformatory or prison.

~~Unless the offense is aggravated or the child is of a vicious or unruly disposition no court shall sentence or commit a child under the age of 17 years to jail, reformatory, or prison, or hold such child for the grand jury.'~~

Effective July 9, 1943

## Chapter 323

AN ACT Relating to Loss of Membership in Indian Tribes by Marriage.

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

P. L., 1933, c. 1, § 256, amended. Section 256 of chapter 1 of the public laws of 1933 is hereby amended by adding at the end thereof a new paragraph to read as follows:

'If any Indian, who is a member of either the Passamaquoddy or Penobscot tribes, marries a man or woman who is a member of neither tribe nor eligible for membership therein, he shall forfeit his membership in the tribe and shall not be eligible for adoption into the tribe during the period

of such marriage, and such persons shall be subject to removal from the tribal reservations as provided in sections 261 and 291 of this chapter. Provided, however, that this paragraph shall not apply to any Indian member of either tribe who serves in the armed forces of the United States or any of its allies in the present war.'

Effective July 9, 1943

---

---

## Chapter 324

AN ACT Granting Increase in Salary to Judge of Probate of Piscataquis County.

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

R. S., c. 125, § 39, amended. That part of section 39 of chapter 125 of the revised statutes which relates to Piscataquis county is hereby amended to read as follows:

'Piscataquis, ~~eight hundred dollars~~ \$1,000.'

Effective July 9, 1943

---

---

## Chapter 325

AN ACT Relating to Attached Mortgaged Property.

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

Sec. 1. R. S., c. 95, § 45, amended. The last paragraph of section 45 of chapter 95 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Such summons, when property is attached on the writ, shall be returnable to the court to which the writ is returnable or to any justice thereof in vacation not less than 10 days nor more than 60 days after service thereof, and when property is seized on execution such summons shall be made returnable to any justice or judge of the court issuing such execution on any day fixed by such justice or judge not less than 10 days nor more than 60 days thereafter. Service in either case shall be by copy of such summons attested by the officer serving the same. If in either case the mortgagee or claimant fails to appear and answer, or after hearing, fails to establish his claim under such mortgage, pledge or lien, he thereby waives the right to hold the property thereon.'