

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 368

House of Representatives, March 10, 1919.

Reported by Mr. Chaplin from Committee on Judiciary and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Varney of Windham.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to Amend Section Twelve of Chapter One Hundred
Twenty-seven of the Revised Statutes, Relating to Tools and
Implements for Gambling, Counterfeiting and Burglar's
Tools.

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

Section twelve of chapter one hundred twenty-seven of
2 the Revised Statutes is hereby amended by adding thereto
3 the following words: 'And in all cases where an officer
4 may seize tools, machines, dies, plates or materials pro-
5 vided for making counterfeit or spurious coin, or for forg-
6 ing bank notes or other instruments; burglars' tools or im-
7 plements, prepared or designed for burglary; lottery tickets

8 or materials for a lottery or procured for the purpose of
9 a lottery; gambling apparatus or implements for gambling
10 and all moneys therein contained, upon a warrant, he may
11 seize the same without a warrant and keep them in some
12 safe place for a reasonable time until he can procure such
13 warrant,' so that said section as amended shall read as fol-
14 lows:

'Sect. 12. Tools and implements for gambling, counter-
2 feiting, and burglar's tools, forfeited. All tools, machines,
3 dies, plates or materials provided for making counterfeit
4 or spurious coin, or for forging bank notes or other in-
5 struments; all burglars' tools or implements prepared or
6 designed for burglary; all lottery tickets or materials for
7 a lottery or procured for the purpose of a lottery; all
8 gambling apparatus or implements for gambling, and all
9 moneys therein contained, shall, when the same are found
10 and taken by virtue of a search warrant, or are found in
11 the possession or under the control of any person arrested
12 for forgery, counterfeiting, burglary, selling lottery tickets
13 or gambling, be safely kept by the direction of the court
14 or magistrate having cognizance of the case so long as
15 may be necessary for their being used as evidence on any
16 trial. All such articles, devices, tools and materials, shall
17 thereupon be declared forfeited by said court, and ordered
18 destroyed, and shall by order of the court rendering final
19 judgment be turned over to the sheriff of the county where
20 the seizure was made, or to such of his deputies as the

21 court shall order, by any officer competent to serve the
22 process on which they were seized, who shall forthwith
23 make return accordingly to said court; and said sheriff,
24 or his said deputy, shall receipt to said officer therefor.
25 As soon thereafter as may be said sheriff, or his said dep-
26 uty receiving said forfeited articles, shall burn or other-
27 wise destroy them, and make return to said court as to
28 how he executed its order; provided, however, that all
29 moneys so seized shall be declared forfeited to the county
30 in which they were seized, and in all cases where an offi-
31 cer may seize tools, machines, dies, plates or materials
32 provided for making counterfeit or spurious coin, or for
33 forging bank notes or other instruments; burglars' tools
34 or implements prepared or designed for burglary; lottery
35 tickets or materials for a lottery or procured for the pur-
36 pose of a lottery; gambling apparatus or implements for
37 gambling and all moneys therein contained, upon a war-
38 rant, he may seize the same without a warrant and keep
39 them in some safe place for a reasonable time until he can
40 procure such warrant.'