

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

1915

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CHAP. 98 by section three of chapter one hundred sixteen of the Public Laws of nineteen hundred thirteen,' so that said section as amended shall read as follows:

Standard weights and measures shall be cared for.

—penalty for neglect.

'Section 6. The person appointed shall receive the standards and seal from the treasurer, giving a receipt therefor, describing them and their condition, and therein engaging to re-deliver them at the expiration of his office in like good order; and he shall be accountable for their due preservation while in his possession. For every neglect of any duty prescribed by this chapter he shall forfeit ten dollars to be recovered as provided in section two of chapter forty-four of the Revised Statutes, as amended by section three of chapter one hundred sixteen of the Public Laws of nineteen hundred thirteen.'

Approved March 15, 1915.

Chapter 98.

An Act to Consolidate Sections Fourteen and Thirty-eight of Chapter Forty of the Revised Statutes, Relating to the Penalty for Unlawful Use of Containers Marked with Registered Devices, and to Amend Section Thirty-nine of said Chapter, Relating to Search Warrants Therefor.

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

Ch. 40, Sec. 38, R. S., amended.

Section I. Section thirty-eight of chapter forty of the Revised Statutes is hereby amended by inserting after the word "vessel" in the fourth line the words 'or any such can of a capacity of not less than five gallons, used in the sale of kerosene, refined petroleum, gasoline or other burning or illuminating oils or fluids,' so that said section as amended shall read as follows:

Unlawful use or destruction of containers, how determined.

—penalty.

'Section 38. Whoever knowingly and wilfully, without the written consent of an owner who has complied with the provisions of the preceding section, uses, buys, sells, fills or traffics in any such syphon, box, can, bottle, keg or other vessel, or any such can of a capacity of not less than five gallons, used in the sale of kerosene, refined petroleum, gasoline or other burning or illuminating oils or fluids, so marked as aforesaid, or defaces, covers up or obliterates the names, marks or devices thereon, with intent to use, fill, buy, sell, dispose of or traffic therein, or to convert the same to his own use, shall, on complaint, be punished by imprisonment for not more than thirty days, or by fine of not more than twenty dollars, and fifty cents additional for each such syphon, box, can, bottle,

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keg or other vessel or such can of a capacity of not less than five gallons, so used, bought, sold, filled, trafficked in or disposed of, or by both such imprisonment and fine in the discretion of the magistrate hearing the complaint; and the said magistrate on finding such person or persons guilty, shall impose the punishment herein prescribed and shall award possession of the property taken to the owner thereof.'

—award to owner.

Section 2. Section fourteen of chapter forty of the Revised Statutes is hereby repealed.

Sec. 14, repealed.

Section 3. Section thirty-nine of chapter forty is hereby amended by inserting after the word "vessels" in the fifth line of said section the words 'or any of his or said corporation's cans of a capacity of not less than five gallons, used in the sale of kerosene, refined petroleum, gasoline or other burning or illuminating oils or fluids,' so that said section as amended shall read as follows:

Ch. 40, Sec. 39, R. S., amended.

'Section 39. Whenever any person in his own behalf or in behalf of any corporation shall make complaint on oath to any magistrate or court, authorized to issue warrants in criminal cases, that he has reason to believe and does believe that any of his or said corporation's syphons, boxes, cans, bottles, kegs or other vessels, or any of his or said corporation's cans of a capacity of not less than five gallons, used in the sale of kerosene, refined petroleum, gasoline or other burning or illuminating oils or fluids, a description of the names, marks or devices whereon has been so filed and published as aforesaid, are being unlawfully used, filled, bought, sold, disposed of or trafficked in, or unlawfully had by any person or corporation, manufacturing or selling said beverages, oils, fluids or liquids, or by any junk dealer or dealer in second-hand articles, or by any vendor of such syphons, boxes, cans, bottles, kegs or other vessels, or cans of a capacity of not less than five gallons used for the purposes aforesaid, the said magistrate shall thereupon issue a search warrant to search therefor.'

Search warrant may be issued to recover property.

Approved March 15, 1915.

Chapter 99.

An Act to Amend Section One of Chapter Forty-four of the Revised Statutes, as Amended by Section Three of Chapter One Hundred Sixteen of the Public Laws of Nineteen Hundred Thirteen, Relating to Local Sealers of Weights and Measures.

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

Section one of chapter forty-four of the Revised Statutes, as amended by section three of chapter one hundred sixteen of the public laws of nineteen hundred thirteen, is hereby

Ch. 44, Sec. 1, R. S., as amended, further amended.