

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth  
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

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Published by the Secretary of State, in conjunction  
with the Revisor of Statutes in accordance with the  
Resolves of the Legislature approved June 28, 1820,  
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

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cution may also issue for said sums, when payable and for costs as in actions of tort. Whoever being a parent of any child committed under this section shall be found guilty of having without just and sufficient cause failed or neglected to support said child shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months or by both such fine and imprisonment. It shall be the duty of the county attorneys in their respective counties to prosecute all violations of this section that are brought to their attention.'

Approved April 19, 1939.

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## Chapter 245

### AN ACT Relating to Arrests.

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

Persons arrested to be brought before trial justice in town where offense occurred; exception. Any person accused of an offense cognizable by trial justices, if brought, or ordered to appear, by an officer, before a trial justice, shall be brought, or ordered to appear, before a trial justice holding court within the town where the alleged offense occurred; but if there is no trial justice within said town, then to a trial justice whose usual place of holding court is nearest to where the offense is alleged to have been committed.

Approved April 19, 1939.

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## Chapter 246

### AN ACT Relating to Child Welfare.

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

P. L., 1933, c. 1, additional. Chapter 1 of the public laws of 1933 is hereby amended by adding thereto a new section to be numbered 240-A, and to read as follows:

'Sec. 240-A. Transfer of funds for aid to dependent children. Any funds appropriated to carry out the provisions of sections 234 to 240 of this chapter, as amended, may be allotted for aid to dependent children under the supervision of the department of health and welfare, provided, however, that no such transfer of funds shall be made which shall operate to the disadvantage of those dependents of veterans enumerated in section

## CHAP. 247

235 as amended by chapter 215 of the public laws of 1937, not eligible for assistance under the provisions of chapter 177 of the public laws of 1937. Authority is hereby given to the said department to administer said funds according to the provisions of chapter 177 of the public laws of 1937.'

Approved April 19, 1939.

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## Chapter 247

AN ACT Relating to Protection of Trees, Shrubs and Nursery Stock.

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

R. S., c. 43, §§ 1, 3, 5, 6, 7, amended. Sections 1, 3, 5, 6 and 7 of chapter 43 of the revised statutes are hereby amended to read as follows:

'Sec. 1. State horticulturist, his appointment; term "nursery stock" defined. The commissioner of agriculture shall appoint a state horticulturist, and the division of the department of agriculture under which such officer performs his duties shall be known as the bureau of horticulture. The term "nursery stock" as used in this chapter, applies to all fruit and ornamental trees, shrubs and vines, and includes currant, gooseberry, blackberry, and raspberry bushes, and strawberry plants. The term "nursery stock" as used in this chapter shall include all florist stock, trees, shrubs, vines, fruiting plants, cuttings, grafts, scions and buds, both deciduous and evergreen, grown for sale or propagation, also herbaceous perennials, bedding plants, roots, corms, bulbs, tubers, potted plants and cut flowers, and all other plant and plant products for, or capable of, propagation, excepting field crops, vegetable plants, and vegetable and flower seeds. The term "vegetation" as used in this chapter means any tree, shrub, vine, vegetable or other plant, or the product or any other portion of the tree, shrub, vine, vegetable or other plant.'

'Sec. 3. Nurseries to be inspected annually. All nurseries or places where trees, shrubs, vines and plants are grown or offered for sale, All nurseries or places where nursery stock is grown, stored or offered for sale shall be inspected at least once a year by the state horticulturist or by some competent person acting under his direction, and all such premises shall be accessible at all reasonable times for inspection, and if no dangerous insects or fungous diseases are found therein a certificate to that effect shall be given. If such pests are found therein, the owner of the stock shall take such measures to destroy the same as the state horticulturist shall prescribe, and no certificate as aforesaid shall be given until the said horticulturist has satisfied himself that all such pests have been suppressed,