

# MAINE STATE LEGISLATURE

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**ACTS AND RESOLVES**  
AS PASSED BY THE  
**Ninety-second and Ninety-third**  
**Legislatures**  
OF THE  
**STATE OF MAINE**

**From April 22, 1945 to May 14, 1947**  
**AND MISCELLANEOUS STATE PAPERS**  
**From May 25, 1945 to May 14, 1947**

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Published by the Revisor of Statutes in accordance  
with Chapter 10 of the Revised Statutes of 1944.

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1947

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Ninety-third Legislature

**1947**

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PUBLIC, 1947

CHAP. 322

default of any payment, and the court shall order that the clerk of said court shall issue such execution upon the filing with the clerk an affidavit signed by the party to whom such payments are to be made, setting forth the amount in arrears under said decree. When the husband or father is committed to jail on execution issued upon decree of alimony, or for payment of money instead thereof, or for the support of his minor children, or for support pending libel, or for payment of counsel fees, the county having jurisdiction of the process shall bear the expense of his support and he may be discharged from imprisonment by payment of the execution and all costs and expenses of his commitment and support, and he shall not be entitled to relief therefrom under the provisions of chapter 107; provided, however, that he may petition the court issuing such execution for relief, whereupon a judge of such court after due notice to the wife or mother, and hearing thereon, may order his discharge from imprisonment on such terms and conditions as justice may require.

Any person who knowingly files a false affidavit alleging default of payments of support of minor children or payments of alimony or specific sum in lieu thereof, for the purpose of obtaining a *capias* execution as provided in this section, shall be deemed to have committed the crime of perjury and shall be subject to prosecution and imprisonment, upon conviction, in the same manner as provided in the statutes relating to the crime of perjury.'

Effective August 13, 1947

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## Chapter 322

### AN ACT to Provide Liquor Licenses for Taverns.

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

Sec. 1. R. S., c. 57, § 1, amended. Section 1 of chapter 57 of the revised statutes is hereby amended by adding after the 13th paragraph thereof defining "Restaurant", a new paragraph to read as follows:

'"Tavern" shall mean a reputable place for men only operated by responsible persons where no food is sold and no business is carried on except the sale of malt liquor at a bar. There shall be no table, chairs or other seating accommodations and all persons served shall remain standing at the bar.'

Sec. 1-A. R. S., c. 57, § 2, sub-§ III-A, additional. Section 2 of chapter 57 of the revised statutes is hereby amended by adding thereto a new subsection to be numbered III-A, to read as follows:

'III-A. Shall licenses be granted in this city or town for the sale therein of malt liquor (beer, ale and other malt liquors) to be consumed on the premises of taverns?'

Sec. 1-B. R. S., c. 57, § 2, amended. Section 2 of chapter 57 of the revised statutes is hereby amended by inserting before the 8th paragraph from the last a new paragraph to read as follows:

'If a majority of such votes in answer to question III-A is in the affirmative, the commission may issue licenses for the sale therein of malt liquor to be consumed on the premises of a tavern therein, subject to all provisions of law.'

Sec. 1-C. R. S., c. 57, § 2, amended. Section 2 of chapter 57 of the revised statutes is hereby amended by inserting before the 3rd paragraph from the last a new paragraph to read as follows:

'If a majority of such votes cast on question III-A is in the negative, licenses shall not be issued for the sale therein of malt liquor to be consumed on the premises of taverns for the 2 calendar years next following.'

Sec. 2. R. S., c. 57, § 28, amended. The 1st sentence of section 28 of chapter 57 of the revised statutes is hereby amended to read as follows:

'No license to sell malt liquor to be consumed on the premises where sold shall be issued to any person for any premises except a bona fide hotel, restaurant, tavern or club, nor unless the application therefor be approved by the municipal officers of the city or town where such hotel, restaurant, tavern or club is located, and if such hotel, restaurant, tavern or club is located in an unorganized place, the application shall be approved by the county commissioners of the county within which such unorganized place is located.'

Sec. 3. R. S., c. 57, § 40, amended. The 1st sentence of section 40 of chapter 57 of the revised statutes, as amended by chapter 185 of the public laws of 1945, is hereby further amended to read as follows:

'Licenses for the sale of liquor to be consumed on the premises where sold may be issued in the discretion of the commission to clubs and to bona fide hotels, restaurants, taverns, steamboats and railroad dining cars on payment of the fees herein provided; subject, however, to the condition that the application therefor be approved by the municipal officers of the town or city in which such intended licensee, if operating a club, restaurant, tavern or hotel, is operating the same, and if said hotel, restaurant, tavern or club is located in an unorganized place said application shall be approved by the county commissioners of the county, within which such unorganized place is located, and subject to the further condition that licenses issued to restaurants shall be limited to malt liquor and wine.'

PUBLIC, 1947

CHAP. 323

Sec. 4. R. S., c. 57, § 43, amended. Section 43 of chapter 57 of the revised statutes is hereby amended by adding after the 2nd sentence thereof, a new sentence, to read as follows:

**'The fee for each tavern shall be \$300 per year.'**

Sec. 5. R. S., c. 57, § 28, amended. The 4th sentence of section 28 of chapter 57 of the revised statutes is hereby amended to read as follows:

**'No licensee under the provisions of this section, except taverns, shall maintain a bar where malt liquor is consumed.'**

Effective August 13, 1947

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## Chapter 323

### AN ACT Relating to Damages to Poultry.

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

R. S., c. 88, § 17, amended. The 1st sentence of section 17 of chapter 88 of the revised statutes is hereby amended to read as follows:

**'Whenever any properly enclosed poultry owned by a resident of this state is killed or injured by dogs, skunks, foxes, weasels, mink or coons, such owner may make complaint thereof to the mayor of the city or to one of the municipal officers of the town or plantation where such damage was done, within 24 hours after he has knowledge of the same, and thereupon the municipal officers shall investigate the complaint and, if satisfied that the said damage was committed by dogs or wild animals within the limit of their city, town or plantation, they shall estimate the damage thereof according to the actual value of such poultry, and make returns of their findings together with the estimated damage, in triplicate; ~~the~~. The original ~~and duplicate~~ copies shall be sworn to by the investigator, and this and the duplicate, together with a bill from the claimant, which shall be sworn to, shall be mailed to the commissioner of agriculture or his duly authorized agent, within 15 days from the date of investigation, and the triplicate shall be kept by the town clerk as his record.'**

Effective August 13, 1947