

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

One Hundred and First Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

The Knowlton and McLeary Company
Farmington, Maine
1963

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundred and First Legislature

1963

signed to it, is involved in a collision with any other vehicle, object or person, and there is any liability on the part of the operator of the said fire department vehicle, responsibility of payment for any damage or loss occasioned by such liability shall be on the municipality owning or using the fire department vehicle.'

Effective September 21, 1963

Director's note: Reallocated by P. L., 1963, c. 414, § 3-F to be R. S., c. 97, § 9-A.

Chapter 325

AN ACT Relating to Reporting of Divorces to State Registrar of Vital Statistics.

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

Sec. 1. R. S., c. 25, § 397, repealed. Section 397 of chapter 25 of the Revised Statutes is repealed.

Sec. 2. R. S., c. 25, §§ 396-A & 396-B, additional. Chapter 25 of the Revised Statutes is amended by adding 2 new sections to be numbered 396-A and 396-B, to read as follows:

'**Sec. 396-A. Records of divorces and annulments.** The clerk of the Superior Court in each county and the clerk of the District Court in each judicial division shall file with the State Registrar of Vital Statistics a record of each divorce judgment or annulment issued in his jurisdiction within 45 days after judgment.

Such record shall contain the names and residences of the parties and name of the person to whom judgment was issued, the date and place of the marriage, the date of and legal grounds for the judgment and the names and ages of the minor children. Forms shall be furnished by the registrar.

The record of divorce prepared for the state registrar shall not become a part of the official record of the court.

Sec. 396-B. Index. The Registrar of Vital Statistics shall prepare and keep a cumulative alphabetical index, by the names of both parties, of all annulments and divorces reported. When requested the registrar shall cause a search to be made of his files for the record of any divorce or annulment and shall furnish a copy thereof. The fee for such search and copy shall be \$2, payable in advance.'

Effective September 21, 1963

Chapter 326

AN ACT Relating to Extending Time on Attachments of Real Estate.

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

Sec. 1. R. S., c. 112, § 72, amended. Section 72 of chapter 112 of the Revised Statutes, as amended, is further amended by adding after the 2nd sentence a new sentence to read as follows:

'In the case of attachments of real estate, the aforesaid 60-day period may be extended for a definite period, and thereafter extended for definite periods, with

attachment remaining in full force and effect, by an order signed by any judge or justice of the court having jurisdiction over the cause of action upon which the attachment is based, provided said order is signed and recorded in the office of the register of deeds in the county or district where the said real estate or some part of it is situated within the said 60-day period.'

Sec. 2. R. S., c. 112, § 72, amended. The last sentence of section 72 of chapter 112 of the Revised Statutes is amended to read as follows:

'The register shall be entitled to the same fee for bringing forward such attachment upon the said book of attachments as for the original entry thereof, and shall be entitled to a fee of \$2 for recording an order for such extension.'

Effective September 21, 1963

Chapter 327

AN ACT Relating to Penalties for Possession of Narcotic Drugs.

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

Sec. 1. R. S., c. 68, § 29, amended. Section 29 of chapter 68 of the Revised Statutes is amended to read as follows:

~~Sec. 29. Narcotic drugs, contraband; search warrants; procedure. Each building, place or tenement which is resorted to by habitual users of narcotic drugs for the purpose of using such drugs, or which is used for the illegal keeping or sale of the same, shall be deemed a common nuisance~~

Narcotic drugs unlawfully in the possession or under the control of any person and which are kept and deposited in the State intended for unlawful sale in the State, and the vessels in which they are contained, are contraband and forfeited to the county in which they are so kept at the time when they are seized under the provisions of this chapter. In all cases where an officer may seize narcotic drugs or the vessels containing them upon a warrant, he may seize the same without a warrant and keep them in some safe place for a reasonable time until he can procure such warrant.

If any person competent to be a witness in civil suits makes sworn complaint before any judge of a municipal to a District Court or trial justice, that he believes that narcotic drugs are unlawfully kept or deposited in any place in the State by any person, or that the same are intended for sale within the State in violation of law, such magistrate judge shall issue his warrant directed to any officer having power to serve criminal process, commanding him to search the premises described and specially designated in such complaint and warrant, and if said narcotic drugs are there found there, to seize the same with the vessels in which they are contained, and them safely keep them until final action thereon, and make immediate return of said warrant. The name of the person so keeping said drugs as aforesaid, if known to the complainant, shall be stated in such complaint, and the officer shall be commanded by said warrant,