

# MAINE STATE LEGISLATURE

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# SEVENTY-SECOND LEGISLATURE

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HOUSE.

No. 151

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND FIVE.

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AN ACT providing penalties for non-feasance of duty by  
sheriffs, deputy sheriffs and county attorneys.

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*Be it enacted by the Senate and House of Representatives in  
Legislature assembled, as follows:*

Section sixty-nine of chapter twenty-nine of the Revised  
2 Statutes is hereby amended by inserting after the word "wit-  
3 nesses." in the ninth line, the words: 'Any sheriff, deputy  
4 sheriff or county attorney, who shall wilfully or corruptly  
5 refuse or neglect to perform any of the duties required by  
6 this section, shall be punished by fine not exceeding one thou-  
7 sand dollars or by imprisonment not exceeding one year.'  
8 So that said section, as amended, shall read as follows:

'Sheriffs and their deputies and county attorneys shall dili-  
10 gently and faithfully inquire into all violations of law, within  
11 their respective counties, and institute proceedings in case of

12 violations or supposed violations of law, and particularly the  
13 law against illegal sale of intoxicating liquors, and the keep-  
14 ing of drinking houses and tippling shops, gambling houses  
15 or places, and houses of ill-fame, either by promptly entering  
16 a complaint before a magistrate and executing the warrants  
17 issued thereon, or by furnishing the county attorney promptly  
18 and without delay, with the names of alleged offenders, and  
19 of the witnesses. Any sheriff, deputy sheriff or county  
20 attorney, who shall wilfully or corruptly refuse or neglect to  
21 perform any of the duties required by this section, shall be  
22 punished by fine not exceeding one thousand dollars or by  
23 imprisonment not exceeding one year. For services under  
24 this section, sheriffs, and their deputies acting under their  
25 directions, shall receive the same per diem compensation, as  
26 for attendance on the supreme judicial court, the same fees  
27 for travel as for the service of warrants in criminal cases,  
28 together with such necessary incidental expenses as are just  
29 and proper; bills for which shall be audited by the county  
30 commissioners, and paid from the county treasury. But said  
31 commissioners shall not allow any per diem compensation to  
32 said sheriffs or their deputies for any day for which said  
33 sheriffs or their deputies are entitled to fees or compensation  
34 for attendance at or service in any court. The provisions of  
35 this section as to compensation of sheriffs and their deputies,  
36 and the provisions of section five of chapter one hundred and  
37 seventeen shall not apply to the sheriff of Cumberland  
38 county, and his deputies acting under the provisions of this  
39 section.'



## STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,  
Augusta, February 15, 1905.

Reported by majority of Committee on Legal Affairs "Ought to Pass."  
By minority of same committee "Ought not to Pass," pending acceptance  
of either report, reports were tabled and bill ordered printed on motion  
of Mr. REED of Portland.

E. M. THOMPSON, *Clerk.*