

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 99

House of Representatives, Feb. 9, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Judiciary.

Committee on Reference.

Presented by Mr. St. Clair of Calais.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to amend Section one of Chapter twenty-two of the
Revised Statutes, relating to Nuisances.

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

Section one of chapter twenty-two of the revised statutes
2 is hereby amended by striking out all thereof after the words
3 "county attorney" in the seventh line, and inserting in place
4 thereof the following: 'or by any citizen, setting forth any
5 of the facts contained herein, to restrain, enjoin or abate the
6 same, and an injunction for such purpose may be issued by
7 said court or any justice thereof. Such injunction shall
8 be recorded within thirty days in the registry of deeds in
9 the county where said nuisance is located and shall forever

10 run against the building or other place or structure in
11 which said nuisance is committed and the land upon which
12 it is located. Said injunction shall also forever restrain all
13 persons against whom it runs from committing any of the
14 nuisances therein specified in any place or places within the
15 State. If said court finds that any such information filed
16 by a citizen other than the county attorney is filed without
17 reasonable ground or cause for the same, costs may be taxed
18 against the informant for the benefit of the respondents. If
19 the information is sustained, costs shall be taxed for the in-
20 formant, including reasonable attorney's fees when the in-
21 formation is filed by a citizen other than the county attor-
22 ney. No dismissal of such information or complaint shall
23 prevent action upon any information or complaint subse-
24 quently filed covering the same subject matter,' so that said
25 section as amended shall read as follows:

'Section 1. All places used as houses of ill-fame, or for
27 the illegal sale or keeping of intoxicating liquors, or resorted
28 to for lewdness or gambling; all houses, shops or places
29 where intoxicating liquors are sold for tippling purposes,
30 and all places of resort where intoxicating liquors are kept,
31 sold, given away, drank or dispensed in any manner not
32 provided for by law, are common nuisances. The supreme
33 judicial court shall have jurisdiction in equity, upon inform-
34 ation filed by the county attorney or by any citizen, setting
35 forth any of the facts contained herein, to restrain, enjoin
36 or abate the same, and an injunction for such purpose may

37 be issued by said court or any justice thereof. Such injunc-
38 tion shall be recorded within thirty days in the registry of
39 deeds in the county where said nuisance is located and shall
40 forever run against the building or other place or structure
41 in which said nuisance is committed and the land upon which
42 it is located. Said injunction shall also forever restrain
43 all persons against whom it runs from committing any of the
44 nuisances therein specified in any place or places within
45 the state. If said court finds that any such information filed
46 by a citizen other than the county attorney is filed without
47 reasonable ground or cause for the same, costs may be
48 taxed against the informant for the benefit of the respond-
49 ents. If the information is sustained, costs shall be taxed
50 for the informant, including reasonable attorney's fees when
51 the information is filed by a citizen other than the county
52 attorney. No dismissal of such information or complaint
53 shall prevent action upon any information or complaint sub-
54 sequently filed covering the same subject matter.'