

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIRST LEGISLATURE

SENATE

NO. 137

In Senate, Feb. 23, 1923.

Reported by Mr. Hussey from Committee on Judiciary and
laid on table to be printed under joint rules.

L. ERNEST THORNTON, Secretary.

Presented by Senator Spencer of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-THREE

AN ACT to Amend Section Eleven of Chapter One Hundred
and Twenty-seven of the Revised Statutes, Relative to Search
Warrants for Implements of Gambling.

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

That section eleven of chapter one hundred and twenty-
2 seven of the revised statutes relative to search warrants
3 for implements of gambling, be hereby amended by insert-
4 ing after the word "purpose" in the eighth line thereof the
5 words 'or that implements, apparatus or materials intended
6 to be used in any form of gambling are there kept or de-

7 posited,' so that said section as amended shall read as
8 follows:

'Sect. 11. Search warrants for implements of gambling,
2 etc. When a person makes oath before a trial justice, or
3 judge of a municipal or police court that he has reason to
4 suspect and does suspect that any tenement or other place
5 is unlawfully used as and for a common gambling house,
6 for the purpose of gambling for money or other property,
7 or is kept, used or occupied for promoting a lottery, or
8 for the sale of lottery tickets, or for promoting the game
9 known as a policy lottery, or policy, or for buying or selling
10 of pools or registering of bets upon any race, game, con-
11 test, act or event, and that persons resort to the same for
12 any such purpose, or that implements, apparatus or materials
13 intended to be used in any form of gambling are there kept
14 or deposited, such magistrate, whether the names of the
15 persons last mentioned are known to the complainant or
16 not, shall issue a warrant, commanding the sheriffs or any
17 of his deputies or any constable or police officer to enter
18 such tenement or other place, and to arrest the keepers
19 thereof, all persons in any way assisting in keeping the
20 same, whether as janitor, door keeper, watchman, or other-
21 wise, all persons who are there found participating in any
22 form of gambling and all persons present whether so par-
23 ticipating or not, if any lottery policy or pool tickets, slips,
24 checks, manifold books or sheets, memoranda of any bet,
25 or other implements, apparatus or materials of any form

26 of gambling are found in said place, and to take into their
27 custody all the implements, apparatus or materials of gam-
28 bling, as aforesaid, and all the personal property, furniture
29 and fixtures, so that they may be forthcoming before some
30 court or magistrate, to be dealt with according to law. All
31 articles and property seized under the provisions of this
32 section, or found in the possession or under the control of
33 any person arrested for keeping or assisting in keeping a
34 gambling house or for gambling, shall be disposed of in
35 the manner provided in the following section for the dis-
36 posal of counterfeiting and burglars' tools; and the find-
37 ing in any tenement or other place of any lottery, policy
38 or pool tickets, slips, checks, manifold books or sheets,
39 memoranda of any bet, or other implements, apparatus or
40 materials of any form of gambling shall be prima facie
41 evidence that said tenement or other place is occupied, used,
42 kept and resorted to for the purpose of gambling.'