

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

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PUBLIC LAWS
OF THE
STATE OF MAINE.
1901.

Chapter 241.

An Act to amend Chapter sixty of the Public Laws of eighteen hundred and ninety-five, entitled "An Act to amend Chapter twenty-one of the Public Laws of eighteen hundred and eighty-seven," entitled "An Act to amend Chapter two hundred and eighty of the Public Laws of eighteen hundred and eighty-five, entitled 'An Act amendatory to Section twenty-nine of Chapter ninety-one of the Revised Statutes, relating to Liens.'

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

Section 29,
chapter 91,
R. S., as
amended by
chapter 280,
public laws,
1885, chapter
21, public
laws, 1887, and
chapter 60,
public laws,
1895, further
amended.

Section twenty-nine of chapter ninety-one of the revised statutes, as amended by chapter two hundred and eighty of the public laws of eighteen hundred and eighty-five, as amended by chapter twenty-one of the public laws of eighteen hundred and eighty-seven, as amended by chapter sixty of the public laws of eighteen hundred and ninety-five, is hereby further amended by striking out the words "and" and "or" in the first line of said section, as amended, and also by striking out the word "or" after the word "cutting" and before the word "yarding" in the second line of said section, as amended, and by adding after the word "yarding" in the first and second lines of said section, as amended, the words 'or hauling,' and also by adding after the word "yarding" and before "cord" in said second line the words 'or hauling,' so that said section, as amended, shall read as follows:

Lien on
hemlock bark
for labor.

'Section 29. Whoever labors at cutting, peeling, yarding or hauling hemlock bark, or cutting, yarding or hauling cord wood, or at cooking for persons engaged in such labor, has a lien thereon for the amount due for his personal services and the services performed by his team, which takes precedence of all other claims, continues for thirty days after the contract is completed, and may be enforced by attachment; provided, however, that such lien shall not continue after the bark or wood has arrived at a market.'

Approved March 21, 1901.

Chapter 242.

An Act to amend Sections five, nine, sixteen and seventeen of Chapter one hundred and twenty-seven of the Revised Statutes, relating to Malicious Mischief.

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

Section 5,
chapter 127, R.
S., amended.

Section 1. Section five of chapter one hundred and twenty-seven of the revised statutes is hereby amended by inserting after the word "and" in the first and fifth lines thereof, the words 'wantonly or,' so that said section, as amended, shall read as follows:

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'Section 5. Whoever willfully and wantonly or maliciously cuts, injures, mars or otherwise destroys or damages ice upon any waters from which ice is or may be taken as an article of merchandise, whereby the taking thereof is hindered or the value of the same is diminished for that purpose; or whoever willfully and wantonly or maliciously incites or procures another to do so, shall be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding one year, or both; and it is not necessary to allege or prove the title or ownership of the ice so cut, injured, marred, damaged or destroyed.'

Punishment
for willful,
wanton or
malicious
injuries
to ice.

Section 2. Section nine of chapter one hundred and twenty-seven of the revised statutes is hereby amended by inserting after the word "and" in the first line thereof, the words 'wantonly or,' so that said section, as amended, shall read as follows:

Section 9
amended.

'Section 9. Whoever willfully and wantonly or maliciously cuts down, destroys, or otherwise injures any shrub or tree for ornament or use; breaks, injures or defaces any fence; throws down or opens any gates or bars; injures, destroys, or severs from the land of another, any produce thereof or thing attached thereto, such articles not being his own, shall be punished by imprisonment for less than one year, and by fine not exceeding one hundred dollars.'

Malicious
injuries to
trees, fences,
gates,
produce, etc.

Section 3. Section sixteen of chapter one hundred and twenty-seven of the revised statutes is hereby amended by inserting after the word "and" in the first line thereof, the words 'wantonly or,' so that said section, as amended, shall read as follows:

Section 16
amended.

'Section 16. Whoever willfully and wantonly or maliciously injures or removes any monument erected, or tree marked as a boundary of any land or town; destroys, defaces or alters the marks thereon, made for the purpose of designating such boundary; injures or defaces any mile stone or guide board erected on a public way or railroad; removes, defaces or injures any sign board, lamp or lamp post; or extinguishes any lamp on any bridge, street, way, or passage, shall be punished by imprisonment for less than one year and by fine not exceeding one hundred dollars.'

Willful
injuries to
monuments,
landmarks,
guide boards,
lamps, etc.

Section 4. Section seventeen of chapter one hundred and twenty-seven of the revised statutes is hereby amended by inserting after the word "and" in the first line thereof, the words 'wantonly or,' so that said section, as amended, shall read as follows:

Section 17
amended.

'Section 17. Whoever willfully and wantonly or maliciously destroys, injures, or defaces any building or fixture attached thereto, without consent of the owner; or destroys, injures, or secretes, any goods, chattels, or valuable papers of another, shall

Willful
injury to
buildings,
fixtures,
goods or
valuable
papers.

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be punished by imprisonment for less than one year or by fine not exceeding five hundred dollars; and shall also be liable to the party injured, in an action of trespass, for the amount of injury so done, and for a further sum, not exceeding, in all, three times such amount, as the jury deems reasonable.'

Approved March 21, 1901.

Chapter 243.

An Act to amend Section six of Chapter sixty-seven of the Revised Statutes, relating to the Appointment of Guardians.

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

Section 6,
chapter 67, R.
S., amended.

Section six of chapter sixty-seven of the revised statutes is hereby amended by adding after the tenth word in the third line, the words 'and if there be no such municipal officers the judge shall name three reputable persons resident of the vicinity in which such person resides, to make such investigation;' so that said section, as amended, shall read as follows:

When inquisition shall be made by municipal officers or other persons.

'Section 6. In all other cases the judge shall issue his warrant to the municipal officers of the town where such person resides, requiring them to make inquisition into the allegations made in the application; and if there be no such municipal officers the judge shall name three reputable persons resident of the vicinity in which such person resides to make such inquisition, and they shall upon such evidence as they are able to obtain, decide whether such allegations are true; and as soon as may be report the result to the judge, and on such report after personal notice to the other party and a hearing thereon, he adjudges that such person is insane, a spendthrift, or incapable as aforesaid, he shall appoint a guardian.'

—shall report to judge.

Approved March 21, 1901.