

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1905.

town in which such property is situated, and a certificate of such record endorsed thereon. The sum alleged to be due shall be deemed to be the damage demanded, and the petition, after being recorded, may be inserted in a writ, and made returnable, like other writs in transitory actions, before any court of competent jurisdiction. If the defendant is a known resident of the state he shall be served with a summons and copy of said writ and petition, otherwise the court, in term time or vacation, may order notice. If the petitioner prevails, he shall recover judgment for title and possession of the property on which the lien is claimed, and for his costs, and a possessory execution may issue. By virtue of such judgment the judgment creditor, if unopposed, may take possession and remove the property described in his execution, otherwise any officer qualified to serve civil process, having said execution, may take possession of said property and deliver the same to the judgment creditor, and shall make his return on said execution accordingly. Said lien may be discharged at any time before final judgment by tendering the petitioner the amount of the debt and costs.'

—defendant shall be served with summons, copy of writ and petition.

—discharge of lien.

Section 2. This act shall take effect when approved.

Approved March 8, 1905.

Chapter 44.

An Act relating to the prevention, control and extinguishment of Forest Fires in plantations and unorganized townships.

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

Section 1. The forest commissioner shall take measures for the prevention, control and extinguishment of forest fires in all plantations and unorganized townships, and to this end he shall establish such forest districts as he may deem necessary for effective protection against loss or damage by such fires.

Forest districts to be established.

Section 2. The said commissioner shall appoint in and for each of said districts, so established, a chief forest fire warden, and he shall also appoint within such districts such number of deputy forest fire wardens as in his judgment may be required to carry out the provisions of this act, assigning to each of the latter the territory over and within which he shall have jurisdiction. All chief and deputy forest fire wardens, so appointed, shall hold office during the pleasure of said commissioner, be sworn to the faithful discharge of their duties by any officer authorized to administer oaths, and a certificate thereof shall be returned to the office of such commissioner.

Chief forest fire warden.

—deputy forest fire wardens.

—tenure of office.

CHAP. 44

Duties of
chief forest
fire wardens.—shall patrol
forests.—shall
gather
evidence.—shall arrest
and prosecute
violators.—other
duties.—compensa-
tion.—deputy
forest fire
warden.—duties of
deputies.—compensa-
tion.Duties of
when fire
occurs within
district of.

Section 3. The said chief forest fire wardens, under the direction of said commissioner, shall have general supervision of their respective districts and of the deputy forest fire wardens therein. Each chief forest fire warden, when directed by the said commissioner, shall patrol the forests of his district for the purpose of searching out, extinguishing and guarding against forest fires. He shall investigate and gather evidence regarding the causes of forest fires, enforce all laws relating to forests and forest preservation, arrest all violators thereof, prosecute all offenses against the same and in this connection shall have the same power to serve criminal processes against such offenders and shall be allowed the same fees as a sheriff, or his deputy, for like services, and shall have and enjoy the same right as a sheriff to require aid in executing the duties of his office. Said chief forest fire wardens shall perform such other duties, at such times, and under such rules and regulations, as the said commissioner may prescribe, and each shall receive as compensation two dollars and fifty cents for each and every day of actual service, with an allowance for expenses of travel and subsistence not to exceed two dollars daily for such period. The said commissioner may authorize the employment of suitable persons to assist said chief forest fire wardens in patrolling their respective districts and every person so employed shall be paid fifteen cents for each hour of service so rendered by him and be provided with subsistence during such period. Deputy forest fire wardens shall perform such duties, at such times and under such rules and regulations, as the chief fire warden of the district, with the approval of said commissioner, may prescribe and they shall receive as compensation two dollars for each and every day of actual service.

Section 4. Whenever a fire occurs on, or is likely to do damage to forest lands within the district of any chief forest fire warden, he shall take immediate action to control and extinguish the same. If such fire occurs upon or is likely to do damage to forest lands within the territory of a deputy forest fire warden and the chief fire warden of the district is not present, then and in such case the deputy forest fire warden having jurisdiction of the territory shall forthwith proceed to control and extinguish the same, and he shall meanwhile, with all consistent dispatch, cause the said chief fire warden of the district to be notified of the occurrence of such fire. Until the arrival of the chief warden at the place of fire the deputy warden shall be in charge of the control and extinguishment of the same. For the purpose of controlling and extinguishing fires as aforesaid, chief forest fire wardens, and deputy forest fire wardens when in

charge of the control and extinguishment of forest fires or when so directed by the chief warden, may summon to their assistance citizens of any county, and each person so summoned and assisting shall be paid fifteen cents for each hour of service rendered by him. Immediately after the extinguishment of a fire the deputy forest fire warden who for any time may have been in charge of the same shall make return to the chief warden of the district of the expense thereof during the period of his being in charge, including the names of the persons so summoned and assisting, with their postoffice addresses and the hours of labor actually performed by each under his direction. The return shall be made upon oath and the said chief warden is hereby authorized and empowered to administer such oath. Upon receipt of such return the said chief fire warden shall carefully examine and audit the same and he may direct the deputy to amend and correct any return found to be incomplete, incorrect or insufficient in form. If upon examination and auditing of said return, and investigation of the subject matter thereof, said chief fire warden believes said return to be just and correct, he shall endorse his written approval thereon and forward the same so approved to said forest commissioner. The chief fire warden of every district burned by a forest fire shall, upon the extinguishment of such fire, promptly forward an exact and detailed statement of the expense, if any, which said chief fire warden may have incurred in connection with the extinguishment of such fire, to the said forest commissioner, who may confirm, reject or recommit either or both said approved return of said deputy or said detailed statement of said chief fire warden if justice so requires.

Section 5. All expense incurred under the provisions of this act shall be paid from the funds appropriated to and for the use of the forest commission.

Section 6. All acts and parts of acts which are inconsistent with the provisions of this act, are hereby repealed.

Section 7. This act shall take effect when approved.

Approved March 8, 1905.

—may
summon
citizens
to assist.

—statement
of expenses,
when and to
whom made.

Expenses,
from what
fund paid.

Inconsistent
acts repealed.