

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

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

As Passed by the Seventy-fourth
Legislature

1909

tickets or materials for a lottery or procured for the purpose of a lottery; all gambling apparatus or implements for gambling, and all monies therein contained, shall, when the same are found and taken by virtue of a search warrant, or are found in the possession or under the control of any person arrested for forgery, counterfeiting, burglary, selling lottery tickets or gambling, be safely kept by the direction of the court or magistrate having cognizance of the case, so long as may be necessary for their being used as evidence on any trial. All such articles, devices, tools and materials, shall thereupon be declared forfeited by said court, and ordered destroyed, and shall by order of the court rendering final judgment be turned over to the sheriff of the county where the seizure was made, or to such of his deputies as the court shall order, by any officer competent to serve the process on which they were seized, who shall forthwith make return according to said court; and said sheriff, or his said deputy, shall receipt to said officer therefor. As soon thereafter as may be said sheriff, or his said deputy receiving said forfeited articles, shall burn or otherwise destroy them, and make return to said court as to how he executed its order; provided, however, that all monies so seized shall be declared forfeited to the county in which they were seized.'

etc., how
disposed of.

Approved March 29, 1909.

Chapter 163.

An Act to amend Section eight of Chapter one hundred and seventeen of the Revised Statutes, as amended by Section one of Chapter fifty-nine of the Public Laws of nineteen hundred and five, relating to Fees of Constables in Serving Venires.

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

Section eight of chapter one hundred and seventeen of the revised statutes, as amended by section one of chapter fifty-nine of the public laws of nineteen hundred and five, is hereby amended by inserting after the word "for" in the second line, the word 'actual;' and inserting in the third line after the word "way," the words 'in posting and delivering the notices mentioned in section nine of chapter one hundred and eight, and in notifying the juror or jurors drawn, as provided in section fourteen of said chapter,' so that said section as amended shall read as follows:

'Section 8. The fees of constables for the service and return of each venire, one dollar and fifty cents, and for actual travel six cents a mile each way in posting and delivering the notices

Section 8,
chapter 117,
R. S., as
amended
by section
1, chapter
59, public
laws, 1905,
further
amended.

Fees of
constables.

CHAP. 164

mentioned in section nine of chapter one hundred and seventeen; and in notifying the juror or jurors drawn as provided in section fourteen of said chapter, to be paid out of the county treasury; and for services which may be performed either by a deputy sheriff or a constable, the constable is allowed the same fees as a deputy sheriff, unless otherwise provided.'

Approved March 29, 1909.

Chapter 164.

An Act to amend Sections fifty-two, fifty-eight and fifty-nine of Chapter seven of the Revised Statutes, relating to Forest Commissioner and Protection of Forests.

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

Section 52,
chapter 7,
R. S.,
amended.

Section 1. Section fifty-two of chapter seven of the revised statutes is hereby amended by striking out all of said section, and inserting instead thereof the following:

Selectmen
shall be fire
wardens.

'Section 52. The selectmen of towns shall be forest fire wardens therein, and the services of such selectmen acting as said fire wardens, shall be paid for at the same rate as is paid for their other official services. It shall be the duty of the fire wardens when a fire is discovered to take such measures as may be necessary for its control and extinguishment. For this purpose they shall have authority to call upon any persons in the town for assistance, and such persons shall receive such compensation, not exceeding twenty cents per hour, as said selectmen may determine, the same to be paid by the town. But no town shall be holden to pay for extinguishing forest fires in any year an amount greater than two per cent upon its valuation for purposes of taxation. If any person so ordered to assist and not excused from said service by said forest fire wardens on account of sickness, disability, or some important business or engagement, shall neglect to comply with any such order he shall forfeit the sum of ten dollars, to be recovered in action of debt in the name and to the use of the town, by the treasurer thereof. If any person shall suffer damage from fire in consequence of the negligence or neglect of the selectmen of any town to perform the duties required by this act, such person shall have an action on the case to recover from the town where the fire occurs to the amount of his damages so sustained not to exceed two per cent of the valuation of said town. This act shall also apply to cities. The chief engineer of the fire department of cities shall be forest fire wardens

—duties

—may call
for assis-
tance.

—compen-
sation.

—liability
of town.

—penalty
for refus-
ing to
assist.

—damages
in case of
neglect of
selectmen,
how re-
covered.

—this act
applies to
cities.