

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
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

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.

and shall have the same powers and duties in carrying out the provisions of this act as selectmen of towns.'

Section 2. Section fifty-eight of chapter seven of the revised statutes is hereby amended by striking out the words in the first and second lines, "and county commissioners, the latter with respect to unorganized places," so that said section when amended, shall read:

Section 58,
chapter 7,
R. S.,
amended.

'Section 58. Municipal officers in towns shall proceed immediately to a strict inquiry into the cause and origin of fires within wood lands; and in all cases where such fires are found to have originated from the unlawful act of any person, to cause the offender to be prosecuted without delay.'

Inquiry
shall be
made into
origin of
woodland
fires.

Section 3. Section fifty-nine of chapter seven of the revised statutes is hereby amended by striking out the words in the second, third and fourth lines, "and the county commissioners where a forest fire of more than two acres has occurred in any of the unincorporated places in any county within a year," so that said section when amended shall read:

Section 59,
chapter 7,
R. S.,
amended.

'Section 59. The selectmen of towns in which a forest fire of more than one acre in extent has occurred, within a month shall report to the forest commissioner the extent of area burned over to the best of their information, together with the probable amount of property destroyed, specifying the value of timber as near as may be, and the amount of cord wood, logs, bark or other forest product, fencing, bridges and buildings that have been burned. They shall also report the cause of these fires if they can be ascertained, and the measures employed and found effective in checking their progress. Blanks for the reports required in this act shall be furnished by said forest commissioner at the expense of the state.'

Selectmen
shall make
report of
any forest
fire.

—report
cause of
fire.

—blanks.

Approved March 29, 1909.

Chapter 165.

An Act to amend Section forty-four of Chapter forty-one of the Revised Statutes, relating to the taking of Smelts.

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

Section forty-four of chapter forty-one of the revised statutes, as amended by chapters twenty, thirty and ninety-one of the public laws of nineteen hundred and five; and as further amended by chapters twelve, thirty-five and one hundred and twenty-three of the public laws of nineteen hundred and seven is hereby further amended by adding in the eleventh line after the word "greater" the words 'and weirs with catch pounds

Section 44,
chapter 41,
R. S., as
amended by
chapters
20, 30 and
91, public
laws, 1905,
as amended
by chap-
ters 12, 35
and 123,