

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

1913

Including Acts and Resolves of the Special Session held
in 1912.

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-Sixth
Legislature

1913

CHAP. 85 sections one and two of this act, on the ground that such testimony or evidence may tend to incriminate himself, but no person shall be prosecuted for any act concerning which he shall be compelled so to testify or produce evidence, documentary or otherwise, except for perjury committed in so testifying.

Chapter 110 and chapter 121 of P. L. of 1907, and chapter 207 of P. L. of 1909 repealed.

Section 4. Chapter one hundred ten and chapter one hundred twenty-one of the public laws of nineteen hundred seven and chapter two hundred seven of the public laws of nineteen hundred nine are hereby repealed.

Approved March 21, 1913.

Chapter 85.

An Act to Amend Sections Six, Nine and Ten of Chapter One Hundred Ninety-three of the Public Laws of Nineteen Hundred Nine, Entitled "An Act Creating the Maine Forestry District and Providing for Protection Against Forest Fires Therein."

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

Section 6 of chapter 193, P. L. of 1909, amended.

Section 1. Section six of said chapter is hereby amended by striking out all of said section after the word "purpose" in the fifth line thereof and adding thereto so that said section as amended shall read as follows :

How funds shall be used.

'Section 6. The tax assessed by authority of this act shall be held by the state treasurer as a fund to be used to protect from fire the forests situated upon and within the district hereby created, and to pay expenses incidental thereto and for no other purpose.'

Governor and council shall issue warrants.

'The governor and council shall from time to time, as the forest commissioner may request, issue their warrant to the state treasurer to pay to said commissioner such sums of money as said commissioner may deem necessary for the purpose of this act.'

If tax assessed is not sufficient payment may be made from treasury.

'If the tax assessed by authority of this act has not been collected or for any reason is not available for the purposes of this act or if said tax proves insufficient in any year to properly carry out the purposes of said act, the governor and council may issue their warrant to the state treasurer to advance and pay to the forest commissioner for the purposes of this act, such sum or sums of money as they may deem necessary for such purposes, the same to be paid from any moneys then in the treasury not otherwise appropriated.'

Accounts shall be examined by state auditor.

'The accounts of said commissioner of the disbursement of all funds under this act shall be examined by the state auditor for the purpose of determining if said accounts are correctly

kept and all payments properly vouched for.'

'Said forest commissioner is hereby authorized to employ from time to time such clerks in his office as will enable him to pay promptly all bills contracted in carrying out the provisions of this act, the compensation of such clerks to be paid from the funds provided by this act.'

Section 2. Section nine of said chapter is hereby amended by inserting after the word "for" in the nineteenth line thereof, the words 'actual necessary' and striking out the words "not to exceed two dollars daily for such period" commencing after the word "subsistence" in the twentieth line thereof, and by striking out in the thirty-first line thereof the words "and subsistence" and adding in place thereof the words 'and actual necessary expenses,' so that said section as amended shall read as follows:

'Section 9. The said chief 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 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 fee 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 three dollars for each and every day of actual service, with an allowance for actual necessary expenses of travel and subsistence. 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 twenty 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 said commissioner, or the chief fire warden of the district, with the approval of said commissioner, may prescribe and they shall

CHAP. 85

Forest commissioner may employ clerks.

Section 9 of chapter 193 P. L. of 1909, amended.

Duties of fire wardens.

—shall patrol forests.

—investigate causes of fires.

—arrest violators.

—other duties.

—employment of assistants.

—duties of deputy fire wardens.

CHAP. 85 receive as compensation two dollars and actual necessary expenses for each and every day of actual service.'

—compensation.
Section 10 of chapter 193, P. L. of 1909, amended.

Section 3. Section ten of said act is hereby amended by striking out the words "citizens of any county" in the nineteenth line thereof and adding in place thereof the words 'any person found within the state,' also by striking out the word "fifteen" in the twentieth line and inserting in the place thereof the word 'twenty,' so that said section as amended shall read as follows:

Chief and deputy fire wardens shall take immediate action to control fires.

'Section 10. 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 any person found within the state and each person so summoned and assisting shall be paid twenty cents for each hour of service rendered by him and be provided with subsistence during such service. 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 re-

—may summon assistance.

—compensation.

—deputy wardens shall render account of expense.

—deputy warden shall make return and return shall be audited.

turn 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 extract 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.'

CHAP. 86

—chief warden shall make detailed report.

Approved March 22, 1913.

Chapter 86.

An Act to Amend Section Sixty-two of Chapter Seven of the Revised Statutes by Providing that Railroad Companies Shall Screen the Windows of Smoking Cars.

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

Section sixty-two of chapter seven of the revised statutes of nineteen hundred three is hereby amended by inserting therein after the word "fires" in the third line thereof the following: 'and any railroad company operating a railroad running through the Maine forestry district shall between the first day of May and the tenth day of November following in each year, fasten down or secure screens or other obstructions in the windows of all cars or apartments of cars in which smoking is allowed to prevent the throwing of burning matches, burning cigars, burning cigarettes or parts thereof from the windows of such cars,' so that said section as amended shall read as follows:

Section 62 of chapter 7, R. S., amended.

'Section 62. No railroad company shall permit its employees to deposit fire, live coals or ashes, upon its track in the immediate vicinity of woodlands or lands liable to be overrun by fires, and any railroad company operating a railroad running through the Maine forestry district shall between the first day of May and the tenth day of November following in each year, fasten down or secure screens or other obstructions in the windows of all cars or apartments of cars in which smoking is allowed to prevent the throwing of burning matches, burning cigars, burning cigarettes or parts thereof from the windows of such cars, and when engineers, conductors or trainmen discover that fences along the right of way or woodlands adjacent to the railroads, are burning or in danger from fire, they shall report the same at their next stopping place which shall be a telegraph station.'

Railroad companies liable for damages caused by employees.

—smoking car windows shall be screened.

Approved March 25, 1913.