

# MAINE STATE LEGISLATURE

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# Acts and Resolves

As Passed by the

## Seventy-Eighth Legislature

OF THE

# STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the  
Seventy-Seventh Legislature held in 1916.

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Seventy-Eighth Legislature

**1917**

[supplied from page 1 of volume]

## CHAP. 245

**Sec. 2. Board of commissioners abolished.** The office of commissioners of inland fisheries and game is hereby abolished.

**Sec. 3. Inconsistent statute repealed.** Section one of chapter thirty-three of the revised statutes is hereby repealed.

**Sec. 4. Substitutions.** Chapter thirty-three of the revised statutes and all acts amendatory thereof or additional thereto, are hereby amended by striking out the words "commissioners of inland fisheries and game" whenever they occur and inserting in place thereof the words 'commissioner of inland fisheries and game' and by striking out the word "they" (when said word refers to commissioners of inland fisheries and game) and inserting in place thereof the word 'he.'

**Sec. 5. Salary of commissioner.** The commissioner of inland fisheries and game shall receive an annual salary of two thousand five hundred dollars.

**Sec. 6. Former rules and regulations applicable.** The rules and regulations of the commissioners of inland fisheries and game, which may be in force when this act takes effect, are hereby adopted as the rules and regulations of the commissioner of inland fisheries and game.

**Sec. 7. R. S., c. 117 § 24, amended to conform.** Section twenty-four of chapter one hundred and seventeen of the revised statutes is hereby amended to conform to the provisions of this act.

Approved April 7, 1917.

## Chapter 245.

An Act to Amend Section Thirty-eight of Chapter Seventy-two of the Revised Statutes Relating to Legal Effect of Adoption of Child.

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

**R. S., c. 72, § 38, relating to legal effect of adoption of child and descent of property, amended.** Section thirty-eight of chapter seventy-two of the revised statutes is hereby amended so as to read as follows:

**'Sec. 38. Adopted child retains right to inherit from natural parents. Distribution of property when adopted person dies intestate.** By such decree the natural parents are divested of all legal rights in respect to such child, and he is freed from all legal obligations of obedience and maintenance in respect to them; and he is, for the custody of the person and right of obedience and maintenance, to all intents and purposes, the child of his adopters, with right of inheritance when not otherwise expressly provided in the decree of adoption, the same as if born to them in lawful wedlock, except that he shall not inherit property expressly limited to the heirs of the body of the adopters, nor property from their lineal or collateral kindred by right of representation; but he shall not by reason of adoption lose his right to inherit from his natural parents or kindred; and the

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adoption of a child, made in any other state, according to the laws of that state, shall have the same force and effect in this state, as to inheritance and all other rights and duties as it had in the state where made, in case the person adopting thereafter dies domiciled in this state. If the person adopted died intestate his property acquired by himself or by devise, bequest, gift or otherwise before or after such adoption, from his adopting parents or from the kindred of said adopting parents shall be distributed according to the provisions of chapter eighty, the same as if born to said adopting parents in lawful wedlock; and property received by devise, bequest, gift or otherwise from his natural parents or kindred shall be distributed according to the provisions of said chapter eighty as if no act of adoption had taken place.'

Approved April 7, 1917.

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## Chapter 246.

An Act to Amend Section Twenty-nine of Chapter One Hundred Thirty-six of the Revised Statutes, Relating to Copy of Proceedings in Murder Cases.

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

**R. S., c. 136, § 29, relating to copy of proceedings in murder cases, amended.** Section twenty-nine of chapter one hundred thirty-six of the revised statutes is hereby amended by striking out all of said section after the word "county" in the sixth line thereof, and inserting, in place thereof, the words, 'but this section shall not apply to cases where a motion for a new trial is filed and granted, as to the evidence and charge in any trial but the last;' also by adding the following to said section: 'A copy of the indictment, plea, evidence and charge of the presiding justice, certified by the official stenographer, shall also be filed in the office of the secretary of state, so that it may be used in any pardon hearing before the governor and council, and the expense thereof shall be paid by the state. The state shall pay the expense of having the evidence and charge transcribed by the official stenographer in any murder cases heretofore tried, where a pardon is sought by one serving a life sentence in the state prison, who is unable to pay therefor, if he, or she, claims to be innocent of the crime, the transcript to be filed in the office of the secretary of state, for use as above provided,' so that said section, as amended, shall read as follows:

**'Sec. 29. Copy to be filed in office of secretary of state; provisions retroactive in certain cases.** Whenever any person is convicted of murder, a copy of the indictment, plea, evidence and charge of the presiding justice, certified by the official stenographer, shall be filed with the clerk of the court where such trial is held. If such stenographer is paid an annual salary, the making and filing of said copy shall be without extra compensation, otherwise the expense thereof shall be paid by the county; but this section shall not apply to cases where a motion for a new trial is filed and granted, as to the evidence and charge in any trial but the last. A copy of the indictment, plea, evidence and charge of the presiding justice, certified by the official stenographer, shall also be filed in the office of the