

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Eightieth Legislature

OF THE

STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

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.

LEWISTON JOURNAL PRINTSHOP AND BINDERY
LEWISTON, MAINE

1921

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eightieth Legislature

1921

[supplied from page 3 of volume]

moneys received on taxes committed to him, and produce the treasurer's receipts for money by him paid; and for neglect, he forfeits to the town two and one-half per cent on the sums committed to him to collect.'

Approved March 30, 1921.

Chapter 76.

An Act to Amend Chapter Two Hundred and Fifty-six of the Public Laws of Nineteen Hundred and Nineteen, Relating to Profiteering.

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

Sec. 1. 1919, c. 256; prescribing a penalty for profiteering in the necessities of life, and defining the term, amended. Chapter two hundred and fifty-six, section one of the public laws of nineteen hundred and nineteen is hereby amended by inserting after the word "necessities" in the sixth line of said section and before the word "or" in the seventh line of said section, the words 'or enters into any contract, combination or conspiracy in restraint of trade or commerce'; and said section one is further amended by inserting after the word "power" in the fifteenth line thereof the word 'ice,' so that, as amended, said section shall read as follows:

'Sec. 1. Made to include combinations or conspiracies in restraint of trade; ice included in the definition of the term necessities. Any dealer, trader, manufacturer or warehouseman who with intent to enhance the price or restrict the supply of the necessities of life wilfully destroys or permits preventable waste in the production, manufacture, storage or distribution of the same, or, with such intent, prevents, limits, lessens or restricts the manufacture, production, supply or distribution of said necessities or hoards said necessities, or enters into any contract, combination or conspiracy in restraint of trade or commerce, or exacts or demands any unjust or unreasonable profit in the sale, exchange or handling of the said necessities, or unreasonably discriminates against any person in the sale of such necessities, or in any way aids or abets the doing of any act hereinbefore mentioned, shall be punished by fine not exceeding one thousand dollars or imprisonment for not more than three years, or by both such fine and imprisonment.

'The term "necessities of life" shall include food for human consumption, food for domestic animals, wearing apparel, shoes, building materials, gas and electricity for light, heat and power, ice, fuel of all kinds, fertilizer and fertilizer ingredients, together with tools, utensils, implements, machinery and equipment required for the actual production or manufacture of the same.'

Sec. 2. 1919, c. 256, § 3; requiring investigations by the attorney general of profiteering amended. Chapter two hundred and fifty-six, section three of the public laws of nineteen hundred and nineteen is hereby

CHAP. 76

amended by inserting between the words "general" and "shall" in the first line of said section the words 'upon his own initiative or upon petition of fifty or more citizens of this state'; and said section three is further amended by inserting between the word "all" and the word "violations" in the first line of said section three the word 'seeming'; and said section three is hereby further amended by inserting after the word "applicable" in the eighth line of said section three the words 'All investigations or hearings thereunder or connected therewith to which witnesses are summoned or called upon to testify or to produce books, records or correspondence, shall be public and shall be held in the county where the act to be investigated is alleged to have been committed, or if the investigation is on petition it shall be held in the county where the petitioners reside'; and said section three is hereby further amended by striking out the word "or" in the thirteenth line of said section three and inserting in place thereof the word 'and'; and said section three is further amended by striking out the words "of the State of Maine or" in the fifteenth line, so that as amended said section three shall read as follows:

'Sec. 3. Investigation proceedings may be instituted upon petition of fifty or more citizens of state; all hearings to be public and held in county where act is alleged to have been committed, or if by petition where petitioners reside; attorney general to present available information to prosecuting officer of United States. The attorney general upon his own initiative or upon petition of fifty or more citizens of this state shall investigate all seeming violations of this act, all contracts, combinations or conspiracies in restraint of trade or commerce and all monopolies, and may require, by summons, the attendance and testimony of witnesses and the production of books and papers before him relating to any such matter under investigation. Such summons shall be served in the same manner as summons for witnesses in criminal cases before said courts and all provisions of law relating thereto shall apply to summonses issued under this act so far as they are applicable. All investigations or hearings thereunder or connected therewith to which witnesses are summoned or called upon to testify or to produce books, records or correspondence, shall be public and shall be held in the county wherein the act to be investigated is alleged to have been committed, or if the investigation is on petition it shall be held in the county where the petitioners reside. The expense of such investigation shall be paid from the appropriation provided by section seventy-two of chapter eighty-two of the revised statutes.

'If upon investigation, it appears to the attorney general that the laws of this state, including the provisions of this act, have been violated in any respect, he shall forthwith prosecute the guilty parties, and present

all available information bearing upon such violation to the proper prosecuting officer of the United States.

'Any justice of the supreme judicial court or of a superior court may by order, upon application of the attorney general, compel the attendance of witnesses, the production of books and papers, including correspondence, and the giving of testimony, before the attorney general in the same manner and to the same extent as before said courts; and any failure to obey such order may be punished by such court as a contempt thereof.'

Approved March 30, 1921.

Chapter 77.

An Act to Amend Section Ten of Chapter Forty-six of the Revised Statutes as Amended by Chapter Seventy-four of the Public Laws of Nineteen Hundred and Nineteen, Relating to the Weight and Sale of Coal.

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

R. S., c. 46, § 10; 1919, c. 74; relating to the weight of coal and how it shall be sold, amended. Section ten of chapter forty-six of the revised statutes as amended by chapter seventy-four of the public laws of nineteen hundred and nineteen is hereby further amended by inserting between the words "coal" and "shall" in the second line of said section, the words 'or coke'; and also be inserting between the words "coal" and "put" in the third line of said section, the words 'or coke'; so that said section, as amended, shall read as follows:

'**Sec. 10. Coke included.** Anthracite, bituminous and all mineral coal or coke shall be sold by weight and two thousand pounds shall constitute a ton. Coal or coke put up in bags or package form shall have marked on the bag in a plain and conspicuous manner the net weight. For each violation of this act there shall be a fine of not less than twenty-five nor more than one hundred dollars.'

Approved March 30, 1921.

Chapter 78.

An Act for the Preservation, Perpetuation and Increase of the Forests of the State of Maine.

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

Sec. 1. Land agent to have charge of state forest and shall regulate cutting on auxiliary forests; may appoint assistants. The state land agent shall have full charge of all state forests, as the same are hereinafter defined, including the power to reforest and regulate cutting