

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-first Legislature

OF THE

STATE OF MAINE

1923

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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 Eighty-First Legislature

**1923**

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## Chapter 6.

An Act to Amend Section Ten of Chapter One Hundred and Thirty-seven of the Revised Statutes, as Amended by Chapter Two Hundred and Three of the Public Laws of Nineteen Hundred and Seventeen and by Chapter Seventy-six of the Public Laws of Nineteen Hundred and Nineteen, and by Chapter One Hundred and Sixty-seven of the Public Laws of Nineteen Hundred and Twenty-one, Relating to the Appointment of Probation Officers.

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

R. S., c. 137, sec. 10; P. L., 1917, c. 203; 1919, c. 76; 1921, c. 167; relating to appointment of probation officers, amended. Section ten of chapter one hundred thirty-seven of the revised statutes, as amended by chapter two hundred and three of the public laws of nineteen hundred and seventeen and by section one of chapter seventy-six of the public laws of nineteen hundred and nineteen, and chapter one hundred and sixty-seven of the public laws of nineteen hundred and twenty-one, is hereby further amended by striking out all of said section and substituting in place thereof the following:

‘Sec. 10. Probation officers may be of either sex; Cumberland county exempted from the provisions of this act. The governor, by and with the consent of the council, shall appoint in any county of the state where in his judgment such an appointment is advisable, one probation officer, who shall be a citizen in the county for which said appointment is made, and of good moral character, and shall hold office during the pleasure of the governor and council, receiving as compensation therefor such sums as the county commissioners shall fix, which shall be paid from the county treasury in equal monthly installments. The county commissioners of such county shall at their next session after such appointment by the governor, determine and fix the amount of such compensation, which shall not be diminished during the term of office of the probation officer, but may be increased if it seems just to the county commissioners so to do. In addition to such compensation, each probation officer shall receive monthly such sums as are reasonably and properly paid for expenses incurred in the performance of the officer’s duty. Each probation officer shall on or before the last day of each month submit under oath to the county commissioners of such county an itemized statement of such expenditures. If in any county it seems to the governor and council necessary to have more than one probation officer, the governor, by and with the consent of the council, may appoint one or more associates, who shall have all the authority under the direction of the probation officer which such probation officer has, and who shall receive for compensation and expenses such sum as the county commissioners of such counties shall deem just and proper.

The county of Cumberland is expressly exempted from the provisions of this section and nothing in this section shall affect or modify provisions

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of chapter three hundred and forty-six of the private and special laws of nineteen hundred and five, as amended by chapter twenty-seven of the private and special laws of nineteen hundred and fifteen; nor affect or modify the provisions of chapter three hundred and thirty-six of the private and special laws of nineteen hundred and seven; nor affect or modify any private or special law now in force pertaining to the appointment of probation officers and their duties within and for the county of Cumberland.'

Approved February 17, 1923.

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## Chapter 7.

An Act to Amend Sections One and Two of Chapter Ninety-five of the Public Laws of Nineteen Hundred and Seventeen, Relating to Giving Checks or Drafts on Banks Where the Maker Has Not Sufficient Funds.

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

P. L., 1917, c. 95, secs. 1 and 2; relating to giving checks or drafts without funds, amended. Sections one and two of chapter ninety-five of the public laws of nineteen hundred and seventeen, are hereby amended by striking out all of said sections and substituting in place thereof the following:

**'Sec. 1. Officer of corporation or member of partnership made liable.** Any person individually or as an officer of a corporation or member of a partnership or firm, who, with intent to defraud, shall make or draw, or utter or deliver, any check, draft or order, in the name of the individual or in the name of any corporation or partnership, or under any name whatsoever for the payment of money, upon any bank or other depository, knowing at the time of such making, drawing, uttering or delivering, that the maker, or drawer, has not sufficient funds in, or credit with, such bank or other depository, for the payment of such check, draft, or order, in full, upon its presentation, such person shall be guilty of a misdemeanor, and punishable by imprisonment for not more than one year, or by a fine of not more than one thousand dollars, or both fine and imprisonment.

**'Sec. 2. Officer of corporation or member of partnership made liable.** As against the maker or drawer thereof, or as against the person signing a check, draft or order for or in behalf of a corporation or partnership, or against a person signing a corporation, firm or business name by him, the making, drawing, uttering or delivery of a check, draft or order, payment of which is refused by the drawee, shall be prima facie evidence of intent to defraud and of knowledge of insufficient funds in, or credit with, such bank or other depository, provided such maker or drawer shall not have paid the drawee or holder thereof the amount due thereon, together with