

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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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-First Legislature

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twenty cents for each smelt so taken, and all weirs for the capture of smelts shall be open and so remain, and all nets used in the smelt and tomcod fishery shall be taken from the water on or before said first day of April, under a penalty of not less than twenty, nor more than fifty dollars, and a further fine of five dollars for each day that any such weir or net remains in violation of the law. But weirs with catch pounds covered with nets, the meshes of which are one inch square in the clear, or greater, or weirs with catch pounds covered with nets which are erected and used for the catching of herring, are not subject to this section. But no smelts caught in such weirs after the first day of April, shall be sold or offered for sale in this state, nor shall smelts caught in any manner between the first day of April and the first day of October following be offered for sale, sold or shipped from the state, under a penalty of twenty-five dollars for each offense; provided, however, that dip-nets may be used between the first day of April and the first day of May, and all smelts caught by dip-nets between said days may be lawfully offered for sale and sold in this state; provided, further, that this section does not apply to smelts taken in the Androscoggin river, above the Merrymeeting bay bridge, or in Narragagus bay or river between the first days of October and November, nor to smelts taken in the Penobscot river and its tributaries between the first and thirtieth days of April, nor to smelts taken in Casco bay between the fifteenth day of September and the first day of October, nor to smelts taken in Franklin bay, between the first day of April and the first day of May, nor to smelts taken in Little Kennebec bay, so-called, or in Narragagus bay or river, in the County of Washington, between the first day of April and the twentieth day of May, nor to smelts taken in Tunk stream and Parritt and Whitten stream, so-called, in the Town of Steuben, in Washington county, between the first day of April and the first day of May, nor to smelts taken in Passamaquoddy bay, St. Croix river and Cobscook bay and the coves and inlets tributary to these bays between the first day of September and the first day of October, nor to the dipping of smelts at the mouth of the Medomak river in the Town of Waldoboro between the fifteenth day of March and the fifteenth day of April, annually.'

Approved March 7, 1923.

Chapter 28.

An Act Additional to Chapter One Hundred and Forty-four of the Revised Statutes, Relating to Juvenile Institutions.

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

R. S., c. 144; additional section. Chapter one hundred and forty-four

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of the revised statutes is hereby amended by adding thereto the following section:

'Sec. 33. Incurrigible inmate of state school for boys may be committed to the reformatory for men. If, in the opinion of the trustees of juvenile institutions, any boy, under the guardianship of the state school for boys, or who may hereafter be committed thereto, who has attained the age of sixteen years, is incurrigible, they may certify the same on the original mittimus and have it signed by the president or secretary of the board of trustees in behalf of said trustees; whereupon said boy shall be transferred from said state school for boys to the reformatory for men, together with the original mittimus and certificate thereon. It shall be the duty of the officers of the reformatory for men to receive any boy so transferred and the remainder of the original commitment shall be executed at the reformatory for men. After said transfer has been made, the rights and duties of the trustees of juvenile institutions over and toward said boy shall cease, and the rights and duties of the trustees of the reformatory for men shall be the same as in case the boy had been originally committed to said reformatory. Any part of chapter one hundred forty-four of the revised statutes inconsistent with this section is hereby repealed.'

Approved March 8, 1923.

Chapter 29.

An Act to Amend Section Eleven of Chapter One Hundred and Twenty-seven of the Revised Statutes, Relating to Search Warrants for Implements of Gambling.

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

R. S., c. 127, sec. 11; relating to search warrants for implements of gambling, amended. Section eleven of chapter one hundred and twenty-seven of the revised statutes is hereby amended, by inserting after the word "purpose" in the ninth line thereof the words 'or that implements, apparatus or materials intended to be used in any form of gambling are there kept or deposited,' so that said section, as amended, shall read as follows:

'Sec. 11. Warrant may be issued in case gambling implements are believed to be kept or deposited in a tenement or other place. When a person makes oath before a trial justice, or judge of a municipal or police court that he has reason to suspect and does suspect that any tenement or other place is unlawfully used as and for a common gambling house, for the purpose of gambling for money or other property, or is kept, used or occupied for promoting a lottery, or for the sale of lottery tickets, or for promoting the game known as policy lottery, or policy, or for buying or