

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-second Legislature

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It shall also be unlawful for any person to have in possession any kind of fish at any time taken in violation of any provision of this section.

Sec. 2. Penalties. Whoever violates any provision of this act shall be subject to a penalty of not less than ten dollars nor more than thirty dollars and costs for each offense, and an additional penalty of one dollar for each fish taken, caught, killed or had in possession in violation of any provision of this act.

Sec. 3. Jurisdiction granted to trial justices, police and municipal courts. Trial justices, police and municipal courts, within their respective counties, shall have, upon complaint, original and concurrent jurisdiction with the supreme judicial court and superior courts in all prosecutions arising under this act.

Approved March 14, 1925.

Chapter 17.

An Act Relating to the Penalty Under the Act Relating to Desertion and Non-support, When the Offense is Not of a High and Aggravated Nature.

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

R. S., c. 120, sec. 39; P. L., 1923, c. 157, sec. 2; relating to desertion of wife and minor children when offense is not of a high and aggravated nature, amended. Section thirty-nine of chapter one hundred and twenty of the revised statutes, as amended by section two of chapter one hundred and fifty-seven of the public laws of nineteen hundred twenty-three is hereby amended by striking out after the words "more than" in the sixteenth line thereof, the words "one year" and inserting in place thereof the words 'eleven months,' so that said section, as amended, shall read as follows:

'**Sec. 39. Maximum imprisonment penalty decreased to eleven months.** Whoever shall without lawful excuse desert his wife when such wife is in destitute or necessitous circumstances, or being able by means of his property or labor to provide for the necessary support and maintenance of his wife, shall without lawful excuse, wilfully, neglect or refuse to provide such support and maintenance when such wife is in destitute or necessitous circumstances, or whoever shall without lawful excuse desert his or her minor child or children under the age of sixteen years or being able by means of his or her property or labor to provide for the necessary support and maintenance of his or her minor child or children under said age, shall wilfully neglect or refuse to provide such support and maintenance when such child or children are in destitute or necessitous circum-

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stances, when such offense is not of a high and aggravated nature, shall be deemed guilty of a misdemeanor and on the conviction thereof shall be punished by a fine of not more than three hundred dollars or by imprisonment with or without hard labor for not more than eleven months or by both such fines and imprisonment. If a fine is imposed, the court may direct that it be paid in whole or in part to the wife or to the guardian or custodian of the minor child or children; provided that, before the trial, with the consent of the defendant, or after conviction, instead of imposing the punishment hereinbefore provided, or in addition thereto, the court in its discretion having regard to the circumstances and to the financial ability or earning capacity of the defendant, may make an order, which shall be subject to change by it from time to time as circumstances may require, directing the defendant to pay a certain sum weekly for the space of one year to the wife, or to the guardian or custodian of the minor child or children, or to an organization or individual approved by the court, as trustee, and to release the defendant from custody on probation for the space of one year upon his or her entering into a recognizance, with sureties, in such sum as the court may direct. The condition of the recognizance shall be such that if the defendant shall make his or her personal appearance in court whenever ordered to do so within the year, and shall further comply with the terms of the order and of any subsequent modification thereof, then the recognizance shall be void, otherwise in full force and effect.'

Approved March 12, 1925.

Chapter 18.

An Act to Amend Section Five of Chapter Thirty-seven of the Revised Statutes, as Amended by Chapter Sixty-six of the Public Laws of Nineteen Hundred and Nineteen, Relating to the Registration of Milk Dealers.

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

R. S., c. 37, sec. 5; P. L., 1919, c. 66; relating to registration of milk dealers and penalty for refusing to register and post certificate, amended. Section five of chapter thirty-seven of the revised statutes, as amended by chapter sixty-six of the public laws of nineteen hundred and nineteen, is hereby amended by adding after the words, "and the reason given for cancellation" in the thirty-fifth line thereof the following, 'or who shall himself or by his servant or agent, sell or deliver or have in his custody or possession with intent to sell or deliver any milk after having been refused the aforesaid certificate of registration by the commissioner of agriculture,' so that said section, as amended, shall read as follows: