

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

1925

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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:

Sec. 5. Having milk in possession with intent to sell same after having been refused a certificate of registration, prohibited. Any person, firm, corporation, association or society who shall sell or deliver milk or cream as a business to any person from a wagon or other conveyance, depot or store, or who shall sell or deliver milk to a hotel, restaurant, boarding-house or any public place, shall be considered a milk dealer within the meaning of this section, and shall on or before the first day of April in each year, apply to the commissioner of agriculture for registration, furnishing such information as may be required, upon blanks issued and furnished by the commissioner to such persons as may request the same. Every such registration shall expire on the first day of April, next after its issue, and shall be granted only to the milk dealer owning or leasing the vehicle or place from which sales or supplies are to be made, and shall not be transferred. Upon receipt of the application for registration, containing the information required, and upon being satisfied that all milk is being produced and handled in a sanitary way and is from cows free from disease, the commissioner shall issue to the applicant a certificate of registration, which certificate shall be posted in a conspicuous place in the store or depot from which sale or supply is made, and the number of the certificate of registration for each wagon or other vehicle shall be placed in a conspicuous place on said wagon or other vehicle. The commissioner may cancel the certificate of any dealer, who, after due hearing on complaint by the commissioner or his authorized agent, is found to be selling milk produced or handled under unsanitary conditions or milk from diseased cows. If any person, firm, corporation, association or society desires to become a milk dealer, as provided by this section, before the first day of April in any year, he or they shall, prior to engaging in the business, register with the commissioner of agriculture in the manner hereinbefore provided, for each place or vehicle from which sale or supply is to be made. Any dealer who neglects or refuses to register with the commissioner of agriculture, or to post certificates of registration in the store or depot from which sale or supply is made, or to post the number of the certificate of registration on the wagon or other vehicle from which sale or supply is made, as provided in this section, or to surrender his certificate to the commissioner when notified in writing that the same has been cancelled, and the reason given for cancellation, 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, forfeits fifty dollars to be recovered in an action of debt, to be prosecuted in the name of the state by the county attorney for the county in which such violation has occurred; but the provisions of this

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section shall not apply to milk or cream delivered to a creamery or butter or cheese factory.'

Approved March 14, 1925.

Chapter 19.

An Act Relating to Fishing in Brook Emptying into Thompson Lake at Oxford, known in Oxford and Otisfield as Greely Brook, and in the Town of Norway as Lombard Brook.

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

Sec. 1. Closed time for fishing for five years in Greely or Lombard brook, established. For a period of five years, it shall be unlawful for any person to fish for, take, catch or kill, any kind of fish at any time in the brook emptying into Thompson Lake at Oxford, known in Oxford and Otisfield as Greely Brook, and in the town of Norway as Lombard Brook, in either of said towns, in Cumberland and Oxford counties.

It shall also be unlawful for any person to have in possession, at any time, any kind of fish 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 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 20.

An Act to Prohibit Ice Fishing in Kennebunk Pond, in the County of York.

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

Sec. 1. Closed time for ice fishing in Kennebunk pond, established. It shall be unlawful for any person to fish for, take, catch or kill any kind of fish at any time on or through the ice in Kennebunk Pond, in the county of York.