

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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II. Persons, who, by excessive drinking, gambling, idleness, or debauchery of any kind, have become incapable of managing their own affairs, or who so spend, or waste their estate, as to expose themselves or families to want or suffering, or their towns to expense.

III. Convicts, committed to the state prison for a term less than for life.'

Sec. 2. R. S., c. 72, sec. 10; relating to appointment of conservators, amended. Section ten of chapter seventy-two of the revised statutes is hereby amended by adding thereto the following: 'But when any judge is interested, either in his own right, in trust, or in any other manner, or is within the sixth degree of kindred, said application shall be made to and such appointment shall be made by a judge in any adjoining county and the record of said appointment shall show why it was so made,' so that said section, as amended, shall read as follows:

'Sec. 10. When judge is interested jurisdiction granted to judge in any adjoining county. Whenever any person shall deem himself unfitted, by reason of infirmities of age or physical disability, to manage his estate with prudence and understanding he may apply to the judge of probate for the county in which he resides, for the appointment of a conservator of his estate, and thereupon the judge of probate may upon hearing, after such notice as he may order, appoint some suitable person as conservator of his estate, and such appointment shall not disfranchise the person for whose estate such conservator is appointed. The person so appointed shall give bond to the judge of probate in such sum and with such sureties, resident in the state, or with a surety company authorized to do business in the state, as surety, as the judge accepts, conditioned as provided in section twelve, and all provisions of law relating to the management of estates of adult persons under guardianship shall apply to such conservator; but when any judge is interested, either in his own right, in trust, or in any other manner, or is within the sixth degree of kindred, said application shall be made to, and such appointment shall be made by, the judge in any adjoining county and the record of said appointment shall show why it was so made.'

Approved March 14, 1925.

Chapter 24.

An Act Additional to and Amendatory of Chapter Thirty-five of the Revised Statutes, Relating to the Prevention of Contagious Diseases Among Animals.

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

Sec. 1. R. S., c. 35, sec. 5; relating to penalty for obstructing commis-

sioner in performance of duties regarding prevention of diseases among animals, amended. Section five of chapter thirty-five of the revised statutes is hereby amended by adding immediately after the words "supposed to exist" in the tenth line of said section, the following, 'and any person who shall knowingly or wilfully change, remove, conceal or substitute any tag, brand, label or mark, fixed, fastened or set by the chief of the division of animal industry or his agent or by any of the duly authorized inspectors, agents or representatives of the commissioner of agriculture of this state or by any duly authorized inspector or official of any other state, upon any animal, place or premises in this state,' so that said section five, as amended, shall read as follows:

'Sec. 5. Penalty provided for changing, removing, concealing or substituting tags, brands, labels, etc. Any person who knowingly and wilfully refuses permission to the live stock sanitary commissioner, or his duly constituted agent, to make, or who knowingly or wilfully obstructs said live stock sanitary commissioner, or his duly constituted agent, in making necessary examination of, and as to animals, supposed by the live stock sanitary commissioner or his agent to be diseased as aforesaid, or in destroying the same, or who knowingly attempts to prevent the live stock sanitary commissioner or his duly constituted agent, from entering upon the premises and other places hereinbefore specified, where any of said diseases are by the live stock sanitary commissioner supposed to exist, and any person who shall knowingly or wilfully change, remove, conceal or substitute any tag, brand, label or mark, fixed, fastened or set by the chief of the division of animal industry or his agent or by any of the duly authorized inspectors, agents or representatives of the commissioner of agriculture of this state or by any duly authorized inspector or official of any other state, upon any animal, place or premises in this state shall be punished by fine, not exceeding one hundred dollars, or by imprisonment, not exceeding ninety days, or by both at the discretion of the court.'

Sec. 2. R. S., c. 35, sec. 12; relating to testing dairy, breeding and show cattle, amended. Section twelve of chapter thirty-five of the revised statutes is further amended by striking out in the first and second lines of said section, the words "cattle used for dairy purposes or for breeding purposes, that are to be shown in competition for prizes" and substituting therefor the words 'all cattle that are to be shown or exhibited,' so that the said section twelve, as amended, shall read as follows:

'Sec. 12. Scope enlarged so as to include all cattle that are to be shown or exhibited. All cattle that are to be shown or exhibited, in any state agricultural show, shall be tested with tuberculin, within twelve months of the opening date of the exhibition where they are to be shown. Such

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test shall be made under the direction of the live stock sanitary commissioner, who shall furnish a certificate of such test, to the owner or owners of such animals. State agricultural associations that receive any aid from the state, shall demand a certificate of test, duly authorized by the live stock sanitary commissioner, from owners of cattle that are to compete for prizes in accordance with the above, under penalty of forfeiture of such aid; but this provision shall not apply to calves less than one year old.'

Sec. 3. R. S., c. 35; new sections added. Chapter thirty-five of the revised statutes is hereby further amended by adding thereto the following sections:

'Sec. 23. Commissioner of agriculture authorized to enter premises to make tests; to quarantine animals and premises; to require slaughter of animals. For the protection of the public health and to prevent the infection of the live stock of the state with contagious disease, the commissioner of agriculture, the chief of the division of animal industry or any of their duly authorized agents are hereby empowered to enter upon any premises at any time and test for tuberculosis or other contagious disease by any reputable method, any animal found thereon; and should any such animal be found to be infected with tuberculosis or other contagious disease, the commissioner of agriculture or his agent shall have power to quarantine such animal and all premises and such other animals as the commissioner or his agent may deem necessary in order to prevent the spread of the disease. The commissioner of agriculture or his agent is empowered to require the slaughter and disposal of any animals found to be infected with tuberculosis or other contagious disease as provided in section three of this act.

'Sec. 24. Commissioner of agriculture authorized to prohibit moving of cattle to and from quarantined areas; animals brought into said area may be quarantined. The commissioner of agriculture or his agent in charge of live stock sanitary work is hereby empowered to prohibit the movement of cattle of every description into or from any area where bovine tuberculosis or other contagious disease is known to exist and where the commissioner of agriculture or his agent has assumed charge of such disease eradication; such quarantine to remain until all animals within the area designated shall be subjected to the tuberculin test or other test or examination satisfactory to the commissioner of agriculture or his agent. If any animals are brought into any such area in violation of this regulation the commissioner of agriculture or his agent shall be further empowered to quarantine such animals until they shall be tested by an accredited veterinarian at the expense of the owner.

'Sec. 25. Owner of animals or his agent to secure animals to be tested. The owner or his agent shall so secure animals to be tested as to make it possible for the inspector of the commissioner of agriculture or his agent in charge of live stock sanitary work to apply the test that is deemed necessary in an expeditious manner.

'Sec. 26. Penalty for violation of provisions of three preceding sections. Any owner or owners of cattle who shall refuse or neglect to comply with the provisions of the three preceding sections or who shall violate any of the provisions of the said sections shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as provided in section five of this act.'

Approved March 17, 1925.

Chapter 25.

An Act to Repeal Section Twenty-one of Chapter Thirty-four of the Revised Statutes, Relating to the Use of the Score Card System by Agricultural Societies in the Judging of Dairy Products.

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

R. S., c. 34, sec. 21; relating to use of score card system in judging dairy products, repealed. Section twenty-one of chapter thirty-four of the revised statutes is hereby repealed.

Approved March 23, 1925.

Chapter 26.

An Act to Prohibit Fishing in the Tributaries of Lake Anasagunticook, in Canton and Hartford, in the County of Oxford.

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

Sec. 1. Perpetual closed time for fishing in tributaries of lake Anasagunticook established; exceptions. It shall be unlawful for any person to fish for, take, catch or kill any kind of fish at any time, in any of the tributaries to lake Anasagunticook, which lake is situated in the town of Canton and in the town of Hartford, in the county of Oxford, except it shall be lawful to take smelts, eels and suckers in said tributaries in accordance with the general laws of the state. 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