

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty - Third Legislature

OF THE

STATE OF MAINE

1927

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-third Legislature

1927

[supplied from page 1 of volume]

Chapter 50.

An Act to Regulate Fishing in Bowler Pond in Palermo in the County of Waldo.

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

Sec. 1. Fishing in Bowler pond regulated. It shall be unlawful for any person to fish for, take, catch or kill any kind of fish at any time in Bowler pond, so-called, which pond is situated in the town of Palermo, in the county of Waldo, except in the ordinary manner of casting with unbaited, artificial flies, or fly fishing, so-called.

Sec. 2. Daily limit fixed. It shall be unlawful for any person to take, catch and kill more than six fish in all in said Bowler pond in any one day. It shall also be unlawful for any person to have in possession in any one day more than six fish in all taken in said pond.

Sec. 3. Possession of fish in violation of provisions prohibited. It shall be unlawful for any person to have in possession at any time any kind of fish taken in said Bowler pond except in the ordinary manner of casting with unbaited, artificial flies, or fly fishing, so-called.

Sec. 4. Penalties. Whoever violates any provision of this act shall pay a fine of not less than ten dollars nor more than thirty dollars, and costs of prosecution, for each offense; and in addition thereto one dollar for each fish taken, caught, killed or had in possession in violation of any provision of this act.

Sec. 5. Jurisdiction of offenses granted to trial justices, police and municipal courts. In all prosecutions arising under this act, trial justices, police and municipal courts within their counties shall have, upon complaint, original and concurrent jurisdiction with the supreme judicial court, and superior courts.

Approved April 1, 1927.

Chapter 51.

An Act Relating to the Disposal of Liquors Which Have Been Forfeited.

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

R. S., c. 127, sec. 33; P. L., 1923, c. 151; relating to disposal of intoxicating liquors declared forfeited, amended. Section thirty-three of chapter one hundred twenty-seven of the revised statutes as amended by chapter one hundred fifty-one of the public laws of one thousand nine hundred twenty-three is hereby further amended by inserting therein after the words "all other liquors" in the twenty-seventh line thereof the words

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'and whenever by reason of the operation of any federal law or regulation it is impractical otherwise to comply with the provisions of this section, all liquors,' and by inserting therein after the words "upon the ground" in the thirty-second line thereof the words 'or into some public sewer,' so that said section as amended shall read as follows:

'Sec. 33. When federal statutes interfere all forfeited liquors may be destroyed by pouring on the ground or in a public sewer. All spirituous and distilled liquors and all other liquors, declared forfeited by any court under this chapter, which shall have been found by said court to contain more than twenty per cent of alcohol, shall, by order of the court rendering final judgment thereon, be turned over to the sheriff of the county where such seizure was made, by any officer competent to serve the process on which they were forfeited, and he shall make return accordingly to said court; and said sheriff shall receipt to said officer therefor; said sheriff shall mingle said liquors together and as soon as he has accumulated a quantity equal to five barrels, he shall ship the same to some responsible rectifying distiller, outside of this state, and have the alcohol redistilled therefrom, as is hereinafter provided. Said sheriffs shall annually contract with some responsible rectifying distiller, outside the limits of this state to take such liquors and distill the alcohol therefrom, and to account for and pay over to the treasurer of the county from which said liquors are received, in cash, at an agreed price for each gallon of one hundred degrees strength, determined by the United States internal revenue inspector at place of rectification. Before delivering any liquor under the aforesaid contract, the said sheriff shall take a bond, with sureties residing in this state, and to be approved by the treasurer of the county, from said rectifying distiller to the treasurer of his county, in the penal sum of one thousand dollars, conditioned that all of said liquors so received under said contract, shall be rectified and the alcohol distilled therefrom, and that the contractor will account for and pay over to the treasurer of said county from which said liquors are received, in cash, the amount due under said contract. In all suits upon bonds given under this section the damages shall be the full penal sum of said bond. All other liquors, and whenever by reason of the operation of any federal law or regulation it is impractical otherwise to comply with the provisions of this section, all liquors, except cider, declared forfeited by any court under this chapter, shall, by order of the court rendering final judgment thereon, be destroyed by any officer competent to serve the process on which they were forfeited, and he shall make return accordingly to said court. Such liquors shall be destroyed by pouring them upon the ground or into some public sewer. A record of vessels forfeited shall be kept by each officer, and returned to the county commissioners once in each three months, and once in six months, or oftener, if they deem it advisable the commissioners

shall order such officers to sell the vessels at public or private sale, and pay the proceeds thereof into the county treasurer.

All cider, declared forfeited by any court under this chapter, shall by order of the court rendering final judgment thereon, be turned over to the sheriff of the county where such seizure was made, by any officer competent to serve the process on which they were forfeited, and he shall make return accordingly to said court; and said sheriff shall receipt to said officer therefor. Said sheriffs may sell and dispose of such cider to be used in the manufacture of vinegar and for no other purpose. A record of such sales shall be kept by each sheriff and he shall pay the proceeds from such sales into the county treasury. Before delivering any cider under any sale made in accordance with the provisions of this section, the said sheriff shall take a bond, with sureties residing in this state, and to be approved by the treasurer of the county, from the purchaser of such cider in the penal sum of double the amount of the value of such cider, conditioned that all of said cider so received under such sale, shall be used in the manufacture of vinegar and for no other purpose.'

Approved April 1, 1927.

Chapter 52.

An Act Relative to Enforcement of Motor Vehicle Laws.

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

Employees of the state highway commission authorized to assist in enforcement of motor vehicle laws, and collection of gasoline tax. In addition to other means of enforcement of the highway and motor vehicle law or regulation relating thereto as now provided by statute, and the collection of the tax on gasoline, the state highway commission may, whenever in their judgment existing conditions demand or the public interest requires, assign for either of said purposes any men in the employ of the highway department to act in conjunction with any other state, county or town officers; provided, however, that no person in the employ of the highway department should be assigned for any duties relating to the enforcement of any law unless the business of the highway department permits it or that otherwise the person assigned would be unemployed.

Approved April 1, 1927.