

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-fourth Legislature

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and fees for which permits shall be granted and said town may at its annual meeting, if it so elects, vote to restrict the issuing of such licenses or permits to the inhabitants of said town.

Sec. 2. License or permit must be obtained; exceptions. No persons shall take clams within the limits of said town without first obtaining a written license or permit from the municipal officers, if such written license or permit is required by the vote of said town or by the action of the municipal officers, unless the clams are for the consumption of himself or family, but no non-resident shall take clams within the limits of said town for any purpose, provided said town has voted to restrict the taking of clams to the inhabitants thereof. A resident of another town or state, however, while temporarily residing in said town of Phippsburg shall have the same rights to take clams within the limits of said town during such temporary residence as any inhabitant thereof under the provisions of this act.

Sec. 3. Penalty. Whoever takes clams contrary to the provisions of this act, shall for each offense, be fined not more than ten dollars or imprisoned for not more than thirty days.

Approved March 11, 1929.

Chapter 30.

An Act Relating to the Lobster Industry Within Two Miles of the Shore of Monhegan Island.

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

P. & S. L., 1907, c. 61, sec. 1; P. & S. L., 1909, c. 210, sec. 1; P. & S. L., 1921, c. 58; relating to lobster fishing near Monhegan island, further amended. Section one of chapter sixty-one of the private and special laws of nineteen hundred and seven, as amended by section one of chapter two hundred and ten of the private and special laws of nineteen hundred and nine, as amended by chapter fifty-eight of the private and special laws of nineteen hundred and twenty-one, is hereby further amended by striking out the whole of said section and inserting in place thereof the following: 'It shall be unlawful to take, catch, kill, destroy, or set any lobster trap or other device for the purpose of taking, catching, killing or destroying any lobster or lobsters within two miles of the shore of Monhegan Island between the twenty-fifth day of June of each year and the first day of December following;' so that said section, as amended shall read as follows:

'Sec. 1. Close time from June 25 to December 1st. It shall be unlawful to take, catch, kill, destroy, or set any lobster trap or other device for the purpose of taking, catching, killing or destroying any lobster or lobsters

within two miles of the shore of Monhegan Island between the twenty-fifth day of June of each year and the first day of December following.'

Approved March 11, 1929.

Chapter 31.

An Act Concerning the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and the Commitment of Veterans and to Make Uniform the Law with Reference Thereto.

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

Sec. 1. Terms defined. As used in this act: The term "person" includes a partnership, corporation or an association. The term "bureau" means the United States Veterans' Bureau or its successor. The terms "estate" and "income" shall include only moneys received by the guardian from the bureau and all earnings, interest and profits derived therefrom. The term "benefits" shall mean all moneys payable by the United States through the bureau. The term "director" means the director of the United States Veterans' Bureau or his successor. The term "ward" means a beneficiary of the bureau. The term "guardian" as used herein shall mean any person acting as a fiduciary for a ward.

Sec. 2. Guardian, how appointed. Whenever, pursuant to any law of the United States or regulation of the bureau, the director requires, prior to payment of benefits, that a guardian be appointed for a ward, such appointment shall be made in the manner hereinafter provided.

Sec. 3. Number of wards limited; exceptions. Except as hereinafter provided it shall be unlawful for any person to accept appointment as guardian of any ward if such proposed guardian shall at that time be acting as guardian for five or more wards. In any case, upon presentation of a petition by an attorney of the bureau under this section alleging that a guardian is acting in a fiduciary capacity for more than five wards and requesting his discharge for that reason, the court, upon proof substantiating the petition, shall require a final accounting forthwith from such guardian and shall discharge such guardian in said case, and appoint another guardian without further notice. The limitations of this section shall not apply where the guardian is a bank or trust company acting for the estate only and not for the person of the wards. An individual may be guardian of more than five wards if they are all members of the same family.

Sec. 4. Filing of petition for guardian. A petition for the appointment of a guardian may be filed in any court of competent jurisdiction by or on behalf of any person who under existing law is entitled to priority of appointment. If there be no person so entitled or if the person so