

# 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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said jail to keep a calendar, with such statistics in relation to his jail as said board of commissioners may deem useful for future reference.

Said board of commissioners may remove prisoners from jails where no arrangements have been made for the labor of convicts, to some work-jail, and when any jail has a larger number of convicts, either in custody or at labor than can be well accommodated, they may remove a portion of them to any other jail where better accommodations can be afforded. Any jail where arrangements have been made or shall be hereafter made for the labor of convicts committed for any special crime, or class of crimes, at any special kind of labor, shall be deemed a work-jail. For the removal of convicts as aforesaid, the board of commissioners may issue precepts to any officer qualified to serve precepts in criminal cases in his county, to cause such removal, whether such service is performed in whole or in part in one or more counties, and the expense of removal shall be paid by the county in which such convicts were sentenced. The board of commissioners shall make a report of the condition of all the prisons to the governor and council by the thirtieth day of November annually.'

Approved April 5, 1929.

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## Chapter 224.

An Act to Increase the Salary of the County Commissioners of the County of Washington.

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

R. S., c. 117, sec. 42; as amended; relating to compensation of county commissioners, further amended. Section forty-two of chapter one hundred and seventeen of the revised statutes, as amended, is hereby further amended by striking out the words "six hundred and fifty" after the word "Washington" in the nineteenth line of said section and inserting in place thereof the following: 'eight hundred dollars' so that said nineteenth line, as amended, shall read as follows:

Washington county increased. 'Washington, eight hundred dollars.'

Approved April 5, 1929.

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## Chapter 225.

An Act to Provide for the Forfeiture of Lobster Traps and Other Gear and Vehicles and Other Contrivances Used in the Several Branches of the Lobster Industry.

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

Sec. 1. Forfeiture of lobster trap and other gear. Any trap, car, gear, or any other device used in connection with the catching of lobsters, and any car, smack, vehicle or other device used in the holding, carrying or

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transporting of lobsters shall be forfeited to the county in which the seizure was made when seized by an officer on an appropriate warrant therefor for violation of the lobster law.

**Sec. 2. Libeling such trap or gear.** Upon such seizure said officer shall immediately file with the magistrate before whom such warrant is returnable a libel against such trap, car, gear or other device used in connection with the catching of lobsters and against any car, smack, vehicle or other device used in the holding, carrying or transportation of lobsters, setting forth the seizure by him, describing such articles so seized, the place of seizure, and that the same were then used by persons in the catching, holding or transporting of lobsters whose license therefor had been suspended or revoked, and pray for a decree of forfeiture thereof. Such magistrate shall thereupon fix a time for a hearing upon said libel and shall issue his monition and notice of the same to all persons interested, citing them to appear at the time and place appointed and show cause why said articles named in said monition should not be forfeited to the county in which seizure was made, by causing a true and attested copy of said libel and monition to be posted in two public and conspicuous places in such town where such articles were seized, ten days at least before the day to which said libel is returnable. The magistrate may also cause notice to be given to any other party he may think entitled thereto at least seven days before the time to which said libel is returnable.

**Sec. 3. Filing of claim; appeal.** If no claimant appears, such magistrate shall, on proof of notice as aforesaid, declare same forfeited to the county in which seizure was made. If any person appears and claims said articles or any part thereof, as having right to possession thereof at the time same were seized, he shall file with the magistrate such claim in writing, stating specifically the right so claimed and the foundation thereof the articles so claimed, the time and place of seizure, the name of the officer by whom the same were seized and in it shall declare that said articles were not kept or used for violation of any lobster law on account of which they were seized as alleged in said libel and monition; such claimant shall also state his residence and place of business and shall sign and make oath to same before said magistrate. If any person so makes claim, he shall be admitted as a party to the process and the magistrate shall proceed to determine the truth of the allegations in said claim and libel, and may hear any pertinent evidence offered by the libellant or claimant.

If the magistrate is, upon the hearing, satisfied that said articles, or any part thereof so seized by virtue of said warrant were not used or kept in violation of said lobster law as alleged in the complaint on which said warrant was issued and that said claimant is entitled to all or any part

thereof, he shall give him an order in writing directed to the officer having the same in custody, commanding him to deliver to said claimant the articles in said libel to which he is so entitled, within forty-eight hours after demand. If the magistrate finds the claimant entitled to none of said articles he shall render judgment against him for the libellant for costs, to be taxed as in civil cases before such magistrate, and issue execution thereon, and shall declare said articles forfeited to the county in which seizure was made. The claimant may appeal and shall recognize with sureties as on appeals in civil cases from a magistrate.

Approved April 5, 1929.

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## Chapter 226.

An Act Relating to the Protection of Children.

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

R. S., c. 64, sec. 55; P. L., 1919, c. 171; relating to private person giving bond in care of children, further amended. Section fifty-five of chapter sixty-four of the revised statutes, as amended by chapter one hundred and seventy-one of the public laws of nineteen hundred and nineteen, is hereby further amended by striking out the whole of said section and inserting in place thereof the following:

'Sec. 55. Court shall take bond running to state; state board shall provide for maintenance and education in institutions; provision for any dependent child; parents not paupers. Whenever the court deems it suitable and conducive to the public welfare that any such child be placed under the control of an individual, the court shall first take a bond from such person running to the state in such sum and with such sureties as the court approves, conditioned that such person shall humanely treat and properly support, clothe and educate the child, and in case of non-performance of the conditions of said bond a suit may be commenced thereon and the sum so recovered shall be paid into the treasury of the state for the joint benefit of the state and town of settlement, if any, of said child in proportion to the amount of expenses incurred by the state and said town because of the failure of said person so to treat, support, clothe and educate said child. The state board shall provide for the maintenance and education in or by duly incorporated children's institutions and child welfare organizations, where such are available, and otherwise direct in family homes, of any children committed to its custody under the provisions of the preceding sections. Bills itemizing the expense of maintenance and education of children committed under the provisions of this chapter, when approved by the state board and audited by the state auditor, shall be paid