

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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is found guilty of an offense punishable with fine or imprisonment, other than imprisonment for life, she may be sentenced in the alternative to the aforesaid school, or if not received therein, or if discharged therefrom for misbehavior, to such punishment as the law provides for like offenses. The record in the event of conviction in all such cases shall be that the accused was convicted of juvenile delinquency, and the court shall have power at the hearing of any such case to exclude the general public other than persons having a direct interest in the case. The records of any such case by order of the court may be withheld from indiscriminate public inspection, but such records shall be open to inspection by the parent or parents of such child or lawful guardian or attorney of the child involved.'

Approved April 9, 1929.

Chapter 271.

An Act Relating to the Protection of Silver, Silver Black and Black Foxes, and Providing a Penalty.

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

Sec. 1. Fox breeders' property rights. Any person owning or breeding silver, silver black or black foxes shall have the same property rights therein as enjoyed by owners or breeders of domestic animals.

Sec. 2. Entrance to enclosure forbidden; penalty for violation. No person, without the permission of the owner of an enclosure within which silver, silver black or black foxes are kept for breeding purposes, shall enter such enclosures. Any person violating the provisions of this section shall be punished by a fine of not more than two hundred dollars, or by imprisonment in the county jail not more than six months.

Sec. 3. Killing, trapping or injuring silver, silver black or black fox prohibited; penalty. No person shall knowingly and wilfully kill, trap or injure any silver, silver black or black fox owned by another person without the consent of the owner. Any person violating the provisions of this section shall be punished by a fine of not more than two hundred dollars, or by imprisonment in the county jail for not less than thirty days, nor more than six months.

Approved April 9, 1929.

Chapter 272.

An Act Relating to Guardians and Conservators.

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

Sec. 1. P. L., 1927, c. 72; relating to proceedings in guardianship that

have been transferred, amended. Chapter seventy-two of the public laws of nineteen hundred and twenty-seven is hereby amended by inserting after the word "guardian" in the second line of said chapter the words 'or conservator,' so that said chapter, as amended, shall read as follows:

When guardian or conservator has been appointed by judge of probate in an adjoining county; proceedings shall be transferred when disability is removed. 'In all cases where the appointment of a guardian or conservator has been, or is, made by a judge of probate in any adjoining county, or the administration of a ward's estate has been, or is, transferred to any adjoining county by reason that the judge of probate of the county where the ward or wards reside is interested either in his own right, in trust, or in any other manner, or is within the sixth degree of kindred, whenever the disability of the judge of probate is removed before the proceedings have been fully completed the proceedings shall then be transferred to the probate court which otherwise would have had jurisdiction or to the probate court of original jurisdiction for the completion of the administration of such estate, and in all such cases the register in such adjoining county shall transmit copies of all records relating to such estate to the probate office of the county where such estate belongs to be there recorded.'

Sec. 2. R. S., c. 72, sec. 13; relating to appointment of agent in state by non-resident guardian, amended. Section thirteen of chapter seventy-two of the revised statutes is hereby amended by striking out the whole of said section and by substituting in place thereof the following:

'Sec. 13. Guardian or conservator residing out of state shall have attorney or agent appointed. No person residing out of the state shall be appointed a guardian or conservator unless he shall have appointed an agent or attorney in the state. Such appointment shall be made in writing and shall give the name and address of the agent or attorney. Said written appointment shall be filed and recorded in the registry of probate for the county in which the principal is appointed, and by such appointment the subscriber shall agree that the service of any legal process against him as such guardian or conservator, or that the service of any such process against him in his individual capacity in any action founded upon or arising out of any of his acts or omissions as such guardian or conservator shall, if made on such agent, have like effect as if made on himself personally within the state, and such service shall have such effect. A guardian or conservator who after his appointment removes from and resides without the state shall so appoint an agent within thirty days after such removal. If an agent appointed under the provisions of this section dies or removes from the state before the final settlement of the accounts of his principal, another appointment shall be made, filed, and recorded as above provided.

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The powers of an agent appointed under the provisions of this section shall not be revoked prior to the final settlement of the estate unless another appointment shall be made as herein provided. Neglect or refusal by a guardian or conservator to comply with any provision of this section shall be cause for removal. A guardian or conservator residing out of the state shall not appoint his co-guardian or co-conservator, residing in the state, as his agent.'

Sec. 3. R. S., c. 72, sec. 33; relating to embezzlement of ward's estate, amended. Section thirty-three of chapter seventy-two of the revised statutes is hereby amended by inserting after the word "guardian" in the second line of said section the word 'conservator' so that said section, as amended, shall read as follows:

'Sec. 33. Conservator added as person interested. Upon complaint made to the judge of probate by any guardian, conservator, ward, creditor or other person interested in the estate, or having claims thereto in expectancy as heir or otherwise, against any one suspected of having concealed, embezzled or conveyed away any of the money, goods or effects of the ward, the judge may cite and examine such suspected person, and proceed with him in the manner provided in relation to those suspected of embezzling the estates of deceased persons.'

Sec. 4. R. S., c. 72, sec. 34; relating to penalty for embezzlement by guardian, amended. Section thirty-four of chapter seventy-two of the revised statutes is hereby amended by inserting after the word "guardian" in the second line of said section the words 'or conservator,' so that said section, as amended, shall read as follows:

'Sec. 34. If guardian or conservator embezzles property of ward; penalty. If a guardian or conservator, having the charge and custody of property belonging to his ward, embezzles the same in violation of his trust, or fraudulently converts it to his own use, he shall be punished by fine not exceeding five thousand dollars, or confinement to hard labor not exceeding ten years.'

Approved April 9, 1929.

Chapter 273.

An Act to Require the Investment in Permanent Securities of School Funds and Other Trust Funds Held by City, Town, Quasi-Municipal Corporations and State Officers.

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

Sec. 1. P. L., 1923, c. 222, sec. 1; relating to investment of permanent funds of towns and cities, amended. Section one of chapter two hundred