

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth Legislature

OF THE

STATE OF MAINE

From April 4, 1931, to March 31, 1933

AND MISCELLANEOUS STATE PAPERS

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-sixth Legislature

1933

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or parts thereof, or certain boats, cars, conveyances or equipment used in hunting, trapping or fishing, described as follows:” (here follows a description of articles seized,) “because the same were hunted, taken, caught, killed, used or had in possession in violation of the provisions of this chapter, as follows:” (here follows statement alleging the particular violation or violations of the fish and game laws for which said articles were seized,) “which said articles were kept and deposited at” (describing the place) “in the said county of Wherefore he pray for decree of forfeiture of said articles, according to the provisions of law in such case made and provided.

Dated at, in said county, this day of, in the year of our Lord nineteen hundred

(Signed)

Approved March 14, 1933.

Chapter 75.

AN ACT Relative to the Use of Power-Boats in Hunting Waterfowl.

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

R. S., c. 38, § 59, amended. Section 59 of chapter 38 of the revised statutes is hereby repealed and the following enacted in place thereof:

‘Sec. 59. Use of power-boats in hunting waterfowl. No person shall at any time hunt any sea birds, duck or waterfowl in any inland or tidal waters of the state from an automobile, airplane, power-boat, sailboat, any boat under sail, any floating device towed by a power-boat or any boat propelled by a motor attached in any manner.’

Approved March 14, 1933.

Chapter 76.

AN ACT Relative to Non-Residents Kindling Fires and Employment of Guides.

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

R. S., c. 38, § 51, amended. Section 51 of chapter 38 of the revised statutes is hereby repealed and the following enacted in place thereof:

‘Sec. 51. Kindling of fires by non-residents, regulated. Non-residents shall not kindle fires upon any unorganized township, while engaged in

camping, fishing or hunting from May 1st to November 1st, without being in charge of a registered guide, except, at public camp sites maintained by the forestry department. No guide shall at the same time guide or be employed by more than 5 non-residents in hunting.'

Approved March 14, 1933.

Chapter 77.

AN ACT Relating to Sterilization in Certain Cases.

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

R. S., c. 155, § 57, amended. Section 57. of chapter 155 of the revised statutes is hereby amended to read as follows:

'Sec. 57. Sterilization may be performed to prevent reproduction of feeble-mindedness or in treatment of mental disease; consent necessary; procedure prior to operation. The operations of vasectomy and fallocotomy may be performed under the conditions and within the restrictions herein described, and under such provisions shall be lawful.

When either of the recognized sterilizing operations herein referred to may be indicated for the prevention of the reproduction of further feeble-mindedness, or for the therapeutic treatment of certain forms of mental disease, physicians ~~having the custody of such cases~~ may recommend to the nearest relative, guardian, and affected individual the advisability and necessity of such operation; and when the written consent of the patient, when mentally competent to give such consent, or the written consent of the nearest relative or guardian when the patient is mentally incompetent to give such consent, is given, the physician ~~having the custody aforesaid of said case~~ shall call a counsel of 2 registered medical practitioners—1 a physician and 1 a surgeon—of not less than 5 years' practice and not related to the patient, whose duty it shall be in conjunction with the physician in charge of the case, to examine the individual recommended for operation. Whether the person to be operated upon is mentally capable of giving his consent shall be decided by the consultants and stated in writing, with their reasons therefor, and such written statement shall be kept on file at the Pownal state school and in case they find that the patient is mentally incapable of giving his consent, the consent of the nearest relative or guardian must be secured. If in the judgment of the consulting physicians the operation will prevent the further propagation of mental deficiency, or if in the judgment of the medical consultants the physical or mental condition of any such person will be substantially benefited thereby, then the consultants shall select a competent surgeon to