

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842 and Acts approved
August 6, 1930 and April 2, 1931.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1939

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

Chapter 75

AN ACT Relating to Judicial Notice of Foreign Law.

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

Sec. 1. Judicial notice. Every court of this state shall take judicial notice of the common law and statutes of every state, territory and other jurisdiction of the United States.

Sec. 2. Information of the court. The court may inform itself of such laws in such manner as it may deem proper, and the court may call upon counsel to aid it in obtaining such information.

Sec. 3. Ruling reviewable. The determination of such laws shall be made by the court and not by the jury, and shall be reviewable.

Sec. 4. Evidence as to laws of other jurisdictions. Any party may also present to the trial court any admissible evidence of such laws, but, to enable a party to offer evidence of the law in another jurisdiction or to ask that judicial notice be taken thereof, reasonable notice shall be given to the adverse parties, if any, either in the pleadings or otherwise.

Sec. 5. Foreign country. The law of a jurisdiction other than those referred to in section 1 shall be an issue for the court, but shall not be subject to the foregoing provisions concerning judicial notice.

Sec. 6. Interpretation. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Sec. 7. Short title. This act may be cited as the Uniform Judicial Notice of Foreign Law Act.

Sec. 8. Repeal. All acts or parts of acts inconsistent with the provisions of this act, are hereby repealed, or amended to conform with the provisions hereof.

Approved March 16, 1939.

Chapter 76

AN ACT Relative to Game Preserve in York County.

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

R. S., c. 38, § 90, amended. Section 90 of chapter 38 of the revised statutes, as revised, is hereby amended by adding thereto, after the second paragraph thereof, the following:

CHAP. 77

'Limington, Hollis and Waterboro: That for a period of 2 years from June 30, 1939, no person shall, except as herein provided, at any time, hunt, pursue, shoot at, molest or kill any wild animal or wild bird within the following described territory situated in the towns of Limington, Hollis and Waterboro in York county; beginning at a point where the Little Ossipee river joins the Saco river in the town of Limington, thence westerly and southerly along said Little Ossipee river to the highway at Edgecombs bridge, so-called, in Waterboro, thence southerly and easterly along said highway to North Hollis in the town of Hollis, thence easterly and northerly along the road next west of Killick brook to the road leading from Nason Mills to Bonney Eagle, thence northeasterly along said Bonney Eagle road to the town line between Limington and Hollis, thence northerly along said town line to the Saco river, thence northerly along said Saco river to the point of beginning. The provisions of this paragraph shall not prohibit the commissioner of inland fisheries from regulating the taking of fur-bearing animals thereon. It shall also be unlawful for any person to have in possession at any time any wild bird or wild animal taken in violation of any provision of this paragraph.'

Approved March 16, 1939.

Chapter 77

AN ACT Relating to Bang's Disease.

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

R. S., c. 40, § 17, amended. Section 17 of chapter 40 of the revised statutes, as amended by section 2 of chapter 106 of the public laws of 1935, is hereby further amended to read as follows:

'Sec. 17. Permit and test papers required for cattle entering the state. No cattle shall be allowed to enter this state, from any other state or country, either for dairying purposes, breeding purposes or for slaughter, except cattle in transit under the control of the federal government, without a permit duly authorized by the chief of the division of animal industry, which permit shall accompany the shipment. All such cattle must be accompanied by a copy of a test chart showing that they have passed a tuberculin test within 1 year. If the test chart shows that the cattle came from an accredited herd, or a herd that has passed a clean test under state and federal supervision within 1 year, or from a modified accredited area they will not be under restriction after arrival in the state, otherwise they must be held in quarantine by the owner and tuberculin tested at his expense at the expiration of 60 days from date of arrival. A copy of the test