

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by 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
1941

PROPERTY OF THE
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

Sec. 9. Penalty for misrepresentation. Any applicant for marriage license, any physician or any representative of a laboratory who shall misrepresent any of the facts called for by the physician's statement and the laboratory report or statement, or any town or city clerk who shall issue a license without the required certificate, or any officer of the bureau of health in the state department of health and welfare or any employee of said department who shall not hold the laboratory record confidential, except as provided in section 3 hereof with respect to its production for evidence on order of the justice or judge of any court, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$100 nor more than \$500 or by imprisonment for not less than 30 days nor more than 90 days in the county jail.

Sec. 10. Existing laws not affected. Nothing in this section shall impair or affect existing laws, rules, or regulations made by authority of law, relative to the reporting of cases of syphilis discovered by physicians.

Sec. 11. Amending and repealing clause. All acts or parts of acts inconsistent herewith are hereby repealed.

Sec. 12. Saving clause. If any portion of this act shall be held to be invalid such decision shall not affect the validity of the remaining portions thereof.

Approved April 10, 1941

Chapter 203

AN ACT in Regard to New Trials on the Ground of Newly Discovered Evidence.

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

Sec. 1. R. S., c. 91, additional. Chapter 91 of the revised statutes is hereby amended by adding thereto a new section to be numbered 24-A, and to read as follows:

'Sec. 24-A. Motions for new trial on ground of newly discovered evidence. In criminal cases tried in the superior court, motions for new trials on the ground of newly discovered evidence may be filed with the clerk after as well as before judgment, and before or after the adjournment of the term at which judgment is rendered regardless of when the judgment was rendered; but such motions may be filed after judgment only with the consent of a justice of the superior court upon good cause shown and must be filed within 2 years from the date of said judgment.

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The clerk shall give immediate written notice of such filing by mail or otherwise to the prosecuting attorney.

The evidence in support thereof, or in rebuttal, or impeachment, shall be taken within such time and in such manner as the court, or any justice thereof in vacation, shall order, and shall be certified to the law court for determination.'

Sec. 2. Intent. It is the intent of the legislature that this act shall apply to all cases in which judgment has already been rendered as well as those in which judgment shall be rendered hereafter.

Approved April 11, 1941

Chapter 204

AN ACT Relating to Indication on Motor Vehicles of Their Weight.

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

R. S., c. 29, § 59, amended. Section 59 of chapter 29 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 59. Weight of commercial vehicles to be plainly indicated on vehicle. Every vehicle intended for commercial use shall have attached thereto in some conspicuous place a plate giving its actual unloaded weight ~~with the weight of its seating or loading capacity, as specified by the manufacturer, or fixed by the secretary of state~~ and its registered seating capacity or registered carrying capacity as recorded by the secretary of state; or such ~~seating or loading capacity~~ registered seating capacity or registered carrying capacity, shall be plainly marked or painted on said vehicle. The weight and capacity so appearing shall be prima facie evidence of their correctness, provided, however, that in case of a combination of truck tractor and semitrailer, the truck tractor shall be marked with its weight and the total carrying capacity of the combined vehicles. Any semitrailer used in such combination shall be marked with only its actual unloaded weight.'

Approved April 12, 1941