

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninetieth and Ninety-first
Legislatures
OF THE
STATE OF MAINE
From April 26, 1941 to April 9, 1943
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

CHAP. 321

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For the purposes of this act the officers of the Chiropractic board and of the Osteopathic board and the treasurers of examining boards shall be classified as state officials.'

Effective July 9, 1943

Chapter 321

AN ACT Relating to Medical Examiners.

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

R. S., c. 151, § 2, amended. Section 2 of chapter 151 of the revised statutes, as amended by section 2 of chapter 241 of the public laws of 1939, is hereby repealed and the following enacted in place thereof:

'Sec. 2. Notice of finding of body. Whoever finds the body of any person who may be supposed to have come to his death by violence or unlawful act, shall immediately notify one of the municipal officers, a police officer or constable if in a city or town; or a member of the board of assessors if in a plantation; and if in an unorganized place, the most readily accessible of such officials in any city, town or plantation within the county. Such official shall immediately take charge of such body and retain custody thereof without moving the same, except as hereinafter provided, until the arrival of a medical examiner, the county attorney, the sheriff or a member of the state police. The official taking charge of said body shall immediately notify the county attorney or sheriff who shall in turn arrange for the attendance of the most readily accessible medical examiner. If the body, where found, is in danger of being destroyed or damaged by fire, vehicular traffic or otherwise, or of being lost in any body of water, any person may take such steps as may seem necessary for its preservation or retention, prior to the arrival of the medical examiner, sheriff, a member of the state police, or the county attorney, but in such event shall first, whenever practicable, exactly mark the location and position of the body. If no such danger exists, the body shall not be moved until the arrival of the medical examiner, the sheriff, a member of the state police, or the county

attorney, and until photographs have been taken or measurements and drawings have been made to record the physical facts relative to the location and position of the body, under the supervision of the county attorney, the state police, or sheriff, or unless the attorney-general or the county attorney waives such requirements. After such photographs or such measurements and drawings have been made, or have been waived as aforesaid, and after the medical examiner has completed such examination as required of him in the following section, the body may be removed to a convenient place. The body shall not be finally released for embalming or burial, except by order of the county attorney or sheriff. If and when it shall appear to the county attorney that the case is one of probable homicide, he shall notify the attorney-general of the fact.'

Effective July 9, 1943

Chapter 322

AN ACT Relating to Jurisdiction of Municipal Courts in Criminal and Juvenile Cases.

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

Sec. 1. R. S., c. 144, § 4, amended. Section 4 of chapter 144 of the revised statutes, as revised by section 5 of chapter 118 of the public laws of 1933, and as amended, is hereby further amended to read as follows:

'Sec. 4. Criminal jurisdiction of municipal courts; juvenile courts. Each municipal court shall have jurisdiction, concurrent with the superior court and with all other municipal courts in the counties where they are located, of all crimes and offenses including violations of any statute, or by-law of a town, village corporation or local health officer, or breaches of the peace, not punishable by imprisonment in the state prison, and may for such crimes and offenses impose any of the fines or sentences provided by law to be imposed therefor.

~~Except as hereinafter provided~~ Judges of municipal courts within their respective jurisdictions shall have exclusive original jurisdiction over all offenses except for a capital, or otherwise infamous crime, committed by children under the age of 17 years, and when so exercising said jurisdiction shall be known as juvenile courts. ~~No~~ Any adjudication or judgment under the provisions of sections 5 to 5-C, inclusive, shall be that the child was guilty of juvenile delinquency and no such adjudication or judgment shall be deemed to constitute a conviction for crime ~~but the foregoing shall not apply to sentences under paragraph a of section 5-B hereof.~~ Provided, however, that for the purpose of determining the guilt of any person over