

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the
Seventy-Seventh Legislature held in 1916.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Eighth Legislature

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[supplied from page 1 of volume]

CHAP. 177

force a written license therefor from the state board of charities and corrections; provided, that nothing in this section shall apply to any institution, which is or shall come under the supervision of the state board of charities and corrections by the provisions of chapter one hundred forty-seven.'

Approved April 3, 1917.

Chapter 177.

An Act to Prevent Discrimination against Soldiers and Sailors in the Service of the United States or State of Maine, on Account of their Uniform.

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

Penalty for discrimination without cause against soldiers or sailors, in public places. Whoever makes any distinction, discrimination or restriction against any soldier or sailor duly enlisted in the service of the United States or the State of Maine relative to admission to, or treatment in, a theatre, skating rink or other public place of amusement, or in any public conveyance or public meeting, or in an inn or hotel, or other public places kept for gain or hire, while wearing the uniform of said United States or said State of Maine, except for good cause, shall be punished by a fine not exceeding one hundred dollars or imprisonment for not more than three months.

Approved April 3, 1917.

Chapter 178.

An Act Providing for the Control of the White Pine Blister Rust and Other Fungous and Insect Pests.

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

Sec. 1. White pine blister rust dangerous pest. That the fungous disease commonly known as the white pine blister rust is hereby declared to be a dangerous pest in all its stages; and it is the duty of the officials hereinafter named, to prosecute the measures hereinafter specified for the control of this pest.

Sec. 2. Forest commissioner to promulgate information and to designate areas where control is necessary. Proceedings when owner fails to comply. The forest commissioner is hereby authorized and empowered to promulgate by letter, publication, poster or other means, information concerning the white pine blister rust and to designate by the aforesaid means of promulgation, areas within the state in which control measures are necessary or advisable. It shall be the duty of every land owner within such designated area, to carry out such control measures as are ordered by the forest commissioner, including the removal and destruction of any or all plants of the genus ribes, commonly known as currants and gooseberries, and any white pine tree or trees, which are found to be infected with

CHAP. 178

the disease. If the owner fails to destroy the above named plants or trees within the time specified by the forest commissioner, the forest commissioner shall cause said plants or trees to be destroyed and shall charge the actual expense of same to the city, town or plantation within which said plants or trees are found. Such amount shall be collected as a state tax and credited to the appropriation for said purpose. The city, town or plantation wherein such plants or trees are found may assess the cost of the removal of said plants or trees to the owner of the real estate wherein the said plants or trees are found. The amount so assessed shall be collected in the form of a tax.

Sec. 3. Commissioner or agents authorized to enter upon lands, private or public; co-operation. The forest commissioner or his authorized agents shall have the right to enter upon any private or public lands to determine the presence or absence of the white pine blister rust in any of its stages, and to carry out the necessary eradication measures. The above mentioned commissioner may cooperate with departments of the federal government, the state department of agriculture and the agricultural experiment station for the control or eradication of said disease in the state, and for the carrying out of such investigations as are deemed advisable by the commissioner.

Sec. 4. Diseased trees and shrubs to be destroyed; owner to be reimbursed when same are proved not to have been infected. Any white pine trees or currant or gooseberry bushes which are found to be infected with *cronartium ribicola* are hereby declared to be a public menace and any such diseased trees or plants and any and all wild plants of the genus *ribes*, may be destroyed by order of the commissioner or his authorized agents. If within any designated area, as specified in section two of this act, currant or gooseberry bushes or white pine trees which are not infected with *cronartium ribicola* are designated by the commissioner or his agents for destruction, and destroyed by their specific order, the owner may be compensated therefor; the damages to be assessed by the commissioner or his agents at not to exceed the actual value of the material destroyed, and paid to said owner by the state treasurer upon authorization of the commissioner. In lieu of money damages for any trees or bushes destroyed under this act the commissioner may offer and the owner may accept forest planting stock to be furnished from the state forest nursery, and to be paid for at cost by the commissioner.

Sec. 5. State nursery inspector under orders of commissioner may enter upon lands; authority. The state nursery inspector, under direction of the commissioner of agriculture, is hereby authorized and empowered to enter upon any land contiguous to or within the vicinity of any nursery within the state, for the purpose of determining the presence or absence of *cronartium ribicola* in any of its stages or other threatening fungous disease or insect pest, and within such area he shall have the same power and duties for control and eradication of the white pine blister rust or its hosts as is vested in the forest commissioner or his agents, and shall have the power to enforce and carry out necessary measures for the control or eradication of other threatening fungous diseases or insect pests.

CHAP. 179

Sec. 6. Shipment may be prohibited; penalty for violation. The forest commissioner is hereby authorized and empowered to prohibit and prevent or to regulate the entry into the State of Maine or movement within the state from any part thereof to any other part, of any living five-leaved pine trees or any plants of the genus ribes, or other nursery stock or plants, which in his judgment may cause the introduction or spread of a dangerous plant disease or insect pest. The said official is hereby authorized to issue such orders, notifications and permits as may be necessary to carry out the provisions of this section, and any person violating any of the provisions of sections five and six shall be subject to a fine of not more than twenty dollars for each and every offense. The expenses necessary for carrying out section five of this act shall be paid from the appropriation for nursery inspection or other funds of the department of agriculture.

Sec. 7. Appropriation. The sum of five thousand dollars is hereby appropriated to carry into effect sections two, three, four and six of this act for the year ending December thirty-first, nineteen hundred seventeen; and the sum of five thousand dollars for the year ending December thirty-first, nineteen hundred eighteen.

Sec. 8. Unexpended balance to revert to state contingent fund. If any balance remains in the hands of the forest commissioner from the funds appropriated under section seven of this act which are not necessary for carrying out the purposes of this act, such balance shall revert to the state contingent fund.

Approved April 3, 1917.

Chapter 179.

An Act to Amend Section Twenty of Chapter One Hundred Seventeen of the Revised Statutes, and Increasing the Salary of the Chief Clerk in the Office of State Superintendent of Public Schools.

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

R. S., c. 117, § 20, relating to salaries in state department of education, amended. Section twenty of chapter one hundred seventeen of the revised statutes is hereby amended by striking out the words "eighteen hundred" in the ninth line thereof and substituting in place thereof the words 'two thousand', so that said section as amended shall read as follows:

'Sec. 20. Annual salary of chief clerk increased from \$1,800 to \$2,000. The state superintendent of public schools shall receive an annual salary of four thousand dollars. He shall also receive his actual cash expenses incurred in the performance of his official duties, which shall be paid out of a specific appropriation for that purpose. He shall employ a chief clerk who may serve as his deputy and such other clerical assistance as the governor and council may deem necessary. The chief clerk in the office of the state superintendent of public schools shall receive an annual salary of two thousand dollars; he shall also receive his necessary expenses when on official business within the state.'

Approved April 3, 1917.