

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
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

ing or structure or part thereof, constructed, altered, maintained, repaired or used, and any equipment therein, thereon, or in connection therewith, installed, altered, maintained, repaired or used contrary to a by-law or ordinance adopted under this authorization is a nuisance.'

Approved March 30, 1939.

Chapter 138

AN ACT Relating to the Milk Control Board.

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

Sec. 1. P. L., 1935, c. 13, § 4, repealed. Section 4 of chapter 13 of the public laws of 1935 is hereby repealed.

Sec. 2. P. L., 1935, c. 13, § 5, amended. Section 5 of chapter 13 of the public laws of 1935 is hereby amended by inserting therein at the end of the 2nd paragraph the following paragraph:

'Prices so fixed shall be just and reasonable, taking into due consideration the insuring of an adequate supply of pure and wholesome milk and conditions affecting the milk industry, including a reasonable return to the producer, producer-dealer, and dealer.'

Sec 3. P. L., 1935, c. 13, § 6, amended. Section 6 of chapter 13 of the public laws of 1935 is hereby amended to read as follows:

'Sec. 6. Licenses; how issued. The board shall require all dealers and producer-dealers in any market designated by said board to be licensed by said board, provided, however, that no license shall be required of any person who produces or sells milk for consumption only on the premises of the producer or seller. The board may, upon proper evidence, decline to grant a license or may suspend or revoke a license already granted upon due notice and after hearing.

No order of the board suspending ~~or~~, revoking or withholding a license or refusing to renew an existing license shall be effective until 10 days after the same has been issued and a copy thereof mailed to the holder of or applicant for such license. Within said period of 10 days any party believing himself aggrieved by the order of the board may appeal to the ~~term of the superior court next to be held~~ in the county wherein the holder of or applicant for such license resides, **in term time or vacation**, and cause notice of such appeal to be served on the board. Such court, after hearing, **in term time or vacation**, shall affirm or reverse the order of the board,

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or any modification thereof by the board. If such appeal be seasonably taken the order of the board shall be stayed and the applicant permitted to continue operation, upon payment of the required fees, until final determination of such appeal.

No appeal taken from an order of the board shall suspend the operation of such order, except as herein provided. The justice of the superior court before whom such appeal is pending, when in his opinion justice may so require, may order a suspension of or compliance with such order or with such order as modified by the board, pending the determination of such appeal. Violation of the provisions of this act or of any order, rule or regulation made hereunder, or conviction of violating any other law or regulation of the state relating to the production, distribution, and sale of milk, shall be sufficient cause to suspend, revoke, or withhold such license.'

Approved March 30, 1939.

Chapter 139

AN ACT Relating to State Armories.

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

R. S., c. 5, §§ 72, 73, amended. Sections 72 and 73 of chapter 5 of the revised statutes are hereby repealed and the following enacted in place thereof:

'Sec. 72. Armories to be provided by cities and towns; also places for parade; rent to be allowed by state. Municipal officers shall provide for each company of volunteer militia within their towns a suitable armory or place of deposit for the arms, equipments, and equipage, furnished by the state. They shall also provide a suitable room for the safe-keeping of books, the transaction of business, and the instruction of officers for each regiment or separate battalion of such militia located within their towns, and suitable places for their parade, target practice, and drill. A reasonable compensation for rent of such armory, headquarters, or place of deposit, not exceeding \$100 a year, may be allowed from the state treasury to the town or city so furnishing such armory, headquarters, or place of deposit.'

'Sec. 73. Armory commission granted certain powers and duties regarding construction and repair of armories. The armory commission is hereby authorized to order and supervise the construction of buildings to be used as armories for the purpose of the use of the national guard of the state of Maine, and to repair and improve buildings donated for that purpose. Whenever a town or any person shall deed to the state of Maine any lot