

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.

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

CHAP. 139

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 Sections 72 and 73 of chapter 5 of the revised statutes are hereby repealed and the following enacted in place thereof: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

or lots, or lot or lots and buildings thereon to be used by the state for the purpose of constructing an armory, the armory commission is authorized to accept such gift provided that sufficient funds are available to carry out the project.'

Approved March 30, 1939.

Chapter 140

AN ACT Extending the Exemptions from the Common Carrier Law.

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

Sec. 1. P. L., 1935, c. 146, § 10, amended. That part numbered (3) of paragraph (A) of section 10 of chapter 146 of the public laws of 1935, as amended by section 1 of chapter 208 of the public laws of 1937, is hereby further amended to read as follows:

'(3) while engaged exclusively in the ~~delivery~~ transportation of the United States mail; (4) while engaged exclusively in the transportation of fresh fruits and fresh vegetables from farms to canneries or quick freezing plants, place of storage or place of shipment, or the products of vining and cutting plants to canneries or quick freezing plants, during the harvesting, ~~canning or packing~~ season; (5) while engaged exclusively in the hauling of wood, pulpwood, logs or sawed lumber from the wood lot or forest area where cut or sawed to points within 40 miles thereof, or while hauling, within said distance, horses, crew, equipment and supplies to or from such wood lot or forest area; and (6) while engaged exclusively in the transportation of livestock for exhibition purposes, excluding race horses, to and from agricultural fairs and exhibits. Nothing in this act contained shall apply to persons, firms or corporations operating motor vehicles carrying property of which they are the actual and bona fide owners.'

Sec. 2. Validating clause. If any sentence, section, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the provisions of this act.

Approved March 30, 1939.

Chapter 141

AN ACT Relating to the Penobscot Tribe of Indians.

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

P. L., 1933, c. 1, § 251, amended. Section 251 of chapter 1 of the public laws of 1933 is hereby amended to read as follows: