

# MAINE STATE LEGISLATURE

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SEVENTH REVISION

THE  
REVISED STATUTES

OF THE  
STATE OF MAINE

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By the Authority of the Legislature

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place, which is located outside the compact portion of cities, towns, and plantations and which is operated only a part of each year, unless the same shall be licensed by the public health council. Any person, corporation, association, firm, or copartnership violating the provisions of this section shall be punished by a fine of not more than one hundred dollars.

**Sec. 29. Public health council authorized to license.** 1927, c. 233, § 2. The public health council is empowered to license overnight and recreational camps, and roadside eating and lodging places which are located outside the compact portions of cities, towns, and plantations, and which are operated only part of each year.

**Sec. 30. Terms and fees to be approved by governor and council.** 1927, c. 233, § 3. Such licenses shall be issued by the public health council under such terms and conditions, and such fees for licenses not exceeding five dollars may be charged, as may be approved by the governor and council.

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## CHAPTER 37.

### Public Exhibitions and Amusements.

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### Public Exhibitions.

**Sec. 1. Penalty for pageantry, etc., without license.** R. S. c. 32, § 1. Whoever, for money or other valuable article, exhibits any images, pageantry, sleight of hand tricks, puppet show, circus, feats of balancing, wire dancing, personal agility, dexterity, or theatrical performances, without a license therefor as hereinafter provided, forfeits, for every offense, not less than ten dollars nor more than one hundred dollars; but this prohibition does not extend to any permanently established museum.

**Sec. 2. Licenses; fees; prosecutions; traveling circuses required to obtain state license; penalty.** R. S. c. 32, § 2. 1923, c. 136. The municipal officers of towns may grant licenses for any of the foregoing exhibitions or performances therein, on receiving for their town such sum as they deem proper; twenty-four hours being allowed for each exhibition or performance; and they shall prosecute, by complaint for the use of their town, all violations of the preceding section. No traveling circus shall advertise or exhibit any parade, show, or entertainment in this state without first paying a state license of five hundred dollars for each calendar year. Application for such license shall be made to the secretary of state and shall contain the name of the person or corporation owning or operating said traveling circus and a statement of the proposed territory within the limits of said state and the names of the cities and towns in which said traveling circus is to exhibit. Upon the payment of the sum of five hundred dollars, a license shall issue.

The advertising and exhibiting of any parade, show, or entertainment of any traveling circus without first taking out such license shall be deemed a mis-

demeanor, and the person, persons, firm, or corporation owning or controlling such traveling circus, or the manager or officer in charge thereof within the state shall be punished by a fine of not more than one thousand dollars.

Municipal and superior courts in the counties where such traveling circus advertises and exhibits or parades shall have jurisdiction over said offense.

Exhibitions of reproduction of prize fights prohibited, c. 135, § 31. Immoral exhibitions prohibited, c. 135, §§ 32, 33.

### Bowling-Alleys and Billiard Rooms.

**Sec. 3. Penalty for keeping unlicensed alleys and billiard rooms.** R. S. c. 32, § 3. Whoever keeps a bowling-alley, shooting-gallery, pool, bagatelle, or billiard room without a license forfeits ten dollars for each day that such alley, gallery, or room is so kept.

\*30 Me. 74.

**Sec. 4. Town officers may license alleys and billiard rooms.** R. S. c. 32, § 4. Municipal officers of towns may license suitable persons to keep bowling-alleys, shooting-galleries, pool, bagatelle, and billiard rooms therein, in any place where it will not disturb the peace and quiet of a family, for which the person licensed shall pay ten dollars to such town; such licenses expire on the first day of May after they are granted, unless sooner revoked.

111 Me. 117; 128 Me. 349.

**Sec. 5. Keepers of alleys, etc., to give bond.** R. S. c. 32, § 5. Every person so licensed shall, at the time he receives his license, give bond to the town with two good and sufficient sureties, in a sum of not less than one hundred dollars, conditioned that he will not permit gambling or drinking of intoxicating liquors in or about his premises; or any minor to play, shoot, or roll therein without the written consent of his parent, guardian, or master; or his alley, gallery, pool, bagatelle, or billiard room to be opened or used between ten o'clock in the evening and sunrise.

111 Me. 117.

**Sec. 6. Bond violated, license to be revoked, etc.** R. S. c. 32, § 6. On proof that any person, so licensed, has violated any condition of his bond, said officers shall revoke his license and enforce payment of his bond to their town; and no such person shall afterwards be licensed therein for such purpose.

**Sec. 7. Penalties; officer may enter at any time to enforce the law.** R. S. c. 32, § 7. The keeper of any bowling-alley, shooting-gallery, pool, bagatelle, or billiard room, who violates any condition of his bond, forfeits ten dollars for the first offense, and twenty dollars for each subsequent offense; and any marshal, sheriff, police, or other officer may at any time enter said alley, gallery, pool, bagatelle, or billiard room or rooms connected therewith, to enforce this or any other law; and whoever obstructs his entrance forfeits not less than five dollars, nor more than twenty dollars.

30 Me. 78.

**Sec. 8. Licensed places may be kept open until midnight.** R. S. c. 32, § 8. Any person licensed to own, keep, and operate a bowling-alley or bowling-alleys, shooting-gallery, pool, bagatelle, or billiard rooms, under the provisions of this chapter, may be granted permission by the municipal officers of the town or city where such alley or alleys, shooting-gallery, pool, bagatelle, or billiard rooms are situated, to keep the same open to the public until midnight, when in the opinion of such municipal officers no person or persons residing in the immediate neighborhood will be disturbed thereby. In such case the condition of the bond required by section five shall be varied accordingly.

### Roller-Skating Rinks.

**Sec. 9. Keepers of skating rinks to be licensed; penalty.** R. S. c. 32, § 9. Every person who keeps a roller-skating rink or room shall obtain a license from the municipal officers of the city or town where such rink is located and shall pay therefor such sum as said municipal officers may deem proper. Any person keeping a roller-skating rink without such license shall be punished by a fine of ten dollars for each day it is so kept.

**Sec. 10. Hours for closing rinks fixed; penalty.** R. S. c. 32, § 10. Every person so licensed shall keep such rink closed between ten o'clock in the evening and sunrise, unless express permission in writing, to keep it open a longer time, is obtained from the municipal officers of the city or town where such rink is located. Any person violating this section shall be punished by a fine of ten dollars for every such offense.

### Steam-Riding Galleries.

**Sec. 11. License required for operating merry-go-round.** R. S. c. 32, § 11. Municipal officers of any town, upon the payment of a sum of not more than fifty dollars, shall grant a license to operate or run a merry-go-round or steam-riding gallery in their town, but the license shall not exempt the operator from complaint to the superior court for maintaining a nuisance under section eight of chapter twenty-six.

**Sec. 12. Penalty for operating without license.** R. S. c. 32, § 12. Whoever operates or runs a merry-go-round or steam-riding gallery in any town without such license shall be punished by a fine of five dollars for each and every day that he so operates or runs such merry-go-round or steam-riding gallery.

**Sec. 13. Jurisdiction of offenses.** R. S. c. 32, § 13. Municipal and police courts and trial justices, in their respective counties, shall have jurisdiction of all offenses arising under this chapter, except as provided in section two relating to state license for traveling circuses, and all penalties herein provided, except that specified in said section two, shall be recovered by complaint for the use of the town where incurred.

### Cinematograph and Moving Pictures.

**Sec. 14. Cinematograph or moving-picture machine to be licensed; apparatus to be enclosed; provisions not to apply in certain cases.** R. S. c. 32, § 14. No cinematograph or similar apparatus, involving the use of a combustible film more than ten inches in length, shall be kept, used, or exhibited in any building, place of public assemblage, or place or building used for entertainment, whether such place or building has been licensed for public entertainment or not, unless a license or permit shall have been first obtained from the municipal officers of the city or town in which said cinematograph or similar apparatus is kept or exhibited; said cinematograph or similar apparatus shall be placed in an enclosure or booth consisting of a steel frame covered with asbestos-wood and constructed and located in accordance with the specifications hereinafter provided, and the entrances, exits, and fire-escapes connected with such public building, place of public assemblage, or place or building shall be erected in accordance with law; provided, that this section, and the four following sections, shall not apply to any cinematograph or similar apparatus operated with only cellulose acetate films not more than one inch and one-fourth in width and using only an enclosed incandescent lamp; provided also, that the manufacturer of such cinematograph

or similar apparatus shall apply for and receive the approval of the insurance commissioner; and provided also, that no such cinematograph or similar apparatus shall be used where an admission fee is charged, except in social, fraternal, charitable, religious, and educational organizations, where the machine so used is owned by said organization, and used in the city or town where said organization is located, and the proceeds of such admission fees are to be devoted to the uses of said organization.

**Sec. 15. Application for license; enclosure and machine to be inspected; license fee; appeal. R. S. c. 32, § 15.** Whoever desires to keep, exhibit, or use any cinematograph or similar apparatus in any place or building described in section fourteen shall make application to the municipal officers of the city or town in which such place or building is located for a license to keep, exhibit, or use such cinematograph or similar apparatus therein, and upon receipt of said application the municipal officers of said city or town shall inspect or cause to be inspected the enclosure or housing provided for such cinematograph or similar apparatus and shall also inspect or cause to be inspected any such cinematograph or similar apparatus, and shall also inspect the entrances, exits, and fire-escapes. If, as a result of such inspection they are convinced that the specifications hereinafter provided are fully complied with, and such cinematograph or similar apparatus is found to be in a safe and suitable condition to be stored, exhibited, or used, and that the entrances, exits, and fire-escapes of such public buildings, place of public assemblage, or place or building are in accordance with law, they may issue a license to the person desiring to keep, use, or exhibit such cinematograph or similar apparatus, which license shall state the name of the makers, trade name and number and the serial number of such cinematograph and the place in which it is to be kept, used, or exhibited. If such officers, after written application to them for a license, unreasonably refuse or neglect to grant it, the applicant by giving them ten days' notice and a bond to pay all costs arising thereafter, may appeal to the county commissioners who after a hearing of the parties, may grant the license or not as they judge reasonable. A fee for such license not exceeding ten dollars shall be fixed by the municipal officers. No license shall be granted under this section for any cinematograph or similar apparatus operated by oxyhydrogen gas, so called, or by lime light.

**Sec. 16. No person to operate without a license; operator to be eighteen years of age and thoroughly skilled; license for one year. R. S. c. 32, § 16.** No person shall operate any cinematograph or similar apparatus in any city or town until he has received a license or permit so to do from the municipal officers thereof; no such license to operate a cinematograph or similar apparatus shall be granted to any person under eighteen years of age, nor until the applicant shall have satisfied the municipal officers that he is thoroughly skilled in the mechanical and electrical apparatus or devices used in the operation of a cinematograph or similar apparatus. An applicant for such license shall have the same right of appeal as is provided in the preceding section. Such license to operate shall continue for one year, and the fee therefor of not more than five dollars shall be fixed by the municipal officers.

**Sec. 17. Specifications of booth or enclosure; exits. R. S. c. 32, § 17.** The construction of the booth or enclosure for any such cinematograph or similar instrument must conform substantially to the following specifications: all booths, or enclosures, must be at least seven feet high and the floor space to vary according to the number of machines used in said booth or enclosure. At least forty-eight square feet of floor space shall be provided for one machine and twenty-four square feet for each additional machine. The material used in

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the construction of such booths or enclosures shall be steel or asbestos-wood sheets supported by a skeleton frame of structural steel; the asbestos-wood sides and tops shall not be less than one-quarter inch thick, and the floor space not less than three-eighths of an inch thick. Said structural steel frame shall be made of angles of tee shape not less than one and one-half inches by one and one-half inches by three-sixteenths of an inch. The door of said booth or enclosure shall be made of asbestos-wood and iron and shall be so contrived that it shall be kept closed at all times. The booth shall also be provided with a ventilator pipe not less than twelve inches in diameter leading to the outer air, or to a chimney, with an electric fan installed so as to create at all times when the machine or machines are in operation a forced draft through said ventilator for the purpose of carrying off all gases and smoke which may arise from accidental ignition of the film. Shutters made of one-quarter inch asbestos-wood shall be provided for closing the windows in the booth or enclosure which must be so contrived as to close automatically in case of accidental ignition of the film. The enclosure or housing provided for such cinematograph, moving-picture machine, or other similar apparatus, shall be located above the main floor of the hall, room, or building where such cinematograph, moving-picture machine, or similar apparatus is located. There shall be a sufficient number of exits and fire-escapes leading into a street, lane, or passageway, with no obstruction to free exit.

**Sec. 18. Asbestos booth may be used for moving-picture machine in open air or tents.** 1919, c. 185. For exhibition of moving pictures in the open air or in a tent, a portable asbestos booth may be used provided such booth meets the specifications hereinafter set forth, and while in use shall be located not less than three hundred feet from any building or woods.

**Sec. 19. Size of booth.** 1919, c. 185. The portable asbestos booth shall be at least six feet six inches in height by five feet square, and is designed for use for one picture machine only. The frame shall be of standard pipe, angle ventilator trap, and fittings, and shall conform to the specifications herein set forth. The four corner posts shall be of three-fourths inch standard pipe, the eight horizontal members of one-half inch standard pipe, and the eight corner fittings of malleable iron or bronze casting, with braced corners. The ventilator trap shall be made of one inch by one-inch by one-eighth inch angles on all sides, shall extend the full width of the top and two inches beyond the front of the top pipe, shall be securely hinged one foot ten inches from the front, and the corners shall be braced with one-eighth inch gusset plate bolted to each angle with three-sixteenths inch bolts.

**Sec. 20. Specifications.** 1919, c. 185. The sides shall be of plain commercially pure asbestos cloth weighing not less than two pounds to the square yard, which shall be in one piece, long enough to lap over not less than two feet where it comes together around the booth, and shall be not less than seven feet six inches in width so as to lap on the floor; it shall be held in place by substantial metal hooks over the top pipe and with snap catches or asbestos cord on the bottom pipe, such hooks, bottom catches, or cord to be not more than eight inches on centers. The top shall be covered with asbestos cloth of the same quality as the sides, which shall be of sufficient size to hang down on all sides at least eight inches; it shall be provided with metal hooks or asbestos cord which shall hook or lace onto the pipe, to hold it in place. The floor shall be covered with an asbestos mat of the same material not less than one foot larger than the booth on all sides, and held in place when in use with heavy thumb tacks.

**Sec. 21. Entrance and exit.** 1919, c. 185. The overlapping sides shall form the entrance and exit of the booth. All raw edges of asbestos cloth shall be bound or hemmed at least one inch deep.

**Sec. 22. Ventilation.** 1919, c. 185. The angle ventilator described in section nineteen shall be so arranged that it may be raised at least one foot above the top pipe of the booth, and held by a toggle joint, or other approved device, whereby, in case of accident, it can be instantly dropped.

**Sec. 23. Apertures.** 1919, c. 185. The apertures, two in number, one for the machine not more than six inches in height by twelve inches in width, and one for the operator not more than twelve inches in height by six inches in width, shall be provided with shutters sewed to curtain at the top of opening, and the lower edges of the same shall be weighted with three-eighths inch gas pipe, which shall be long enough to go the whole horizontal length of the shutter, and provided with cord and fusible link, as specified for the standard booth, running through a screw eye, or a ring attached to the pipe frame over the openings. All shutters shall be of size to lap over curtain at least one and one-half inches on all sides.

**Sec. 24. Penalties.** R. S. c. 32, § 18. 1919, c. 185. Whoever keeps, uses, or operates any cinematograph or similar apparatus contrary to the provisions of the ten preceding sections shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, to be recovered on complaint or indictment to the use of the city or town in which any such violation occurs; but no final judgment on such complaint or indictment shall be entered during the pendency of an appeal as provided in sections fifteen and sixteen and in case such appeal be sustained, such complaint or indictment shall be dismissed.

**Sec. 25. County commissioners to exercise powers of municipal officers in unincorporated places and counties to exercise rights of towns.** 1921, c. 64. County commissioners, within their counties, and counties, within their limits, shall respectively exercise over unincorporated places all the powers of municipal officers and towns under this chapter.