

MAINE STATE LEGISLATURE

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CHAPTER 135
UNIFORMS AND EQUIPMENT

Sec.

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§ 1161. Commissioned officers; exemption from attachment and distress

All commissioned officers and warrant officers shall provide themselves with such uniforms, arms and equipment as are required of commissioned officers or warrant officers in their respective arms of service in the national military establishment, and the Adjutant General may purchase and issue as state property on memorandum receipt or sell for cash to commissioned officers and warrant officers such articles of arms, uniforms and equipment as he may deem necessary.

The clothes, arms, military outfit and accoutrements furnished by or through the State to a member of the active militia and the uniforms, arms and equipment required of commissioned officers and warrant officers shall not be subject to any civil action, distress, execution or sale for debt or payment of taxes.

R.S.1954, c. 14, § 44; 1961, c. 417, § 10.

§ 1162. Uniform forbidden to unauthorized persons

It shall be unlawful for any person not an officer or enlisted man of the United States Army, Air Force, Navy, Marine Corps or the National Guard of the United States and the State of Maine, to wear the duly prescribed uniform of the United States Army, Air Force, Navy, Marine Corps or National Guard, or any distinctive part of such uniform, or a uniform any part of which is similar to a distinctive part of the duly prescribed uniform of the United States Army, Air Force, Navy, Marine Corps or Na-

tional Guard. The foregoing provisions shall not be construed so as to prevent such persons as may be authorized by the laws and regulations of the United States from wearing such uniforms as they may be authorized to wear under the above-mentioned laws and regulations. The term "distinctive part of the uniform" in this section shall be construed to mean such parts of the uniform as may be at this time or shall be hereafter designated as "distinctive" by the regulations of the national military establishment. Any person who offends against this section shall, on conviction, be punished by a fine of not more than \$300 or by imprisonment for not more than 6 months, or by both. The District Court shall have original and concurrent jurisdiction with the Superior Court in all prosecutions for the violations of this section.

R.S.1954, c. 14, § 45; 1963, c. 402, § 4.

§ 1163. Equipment not to be sold

The clothes, arms, military outfits and accoutrements furnished by or through the State to any member of the National Guard or other authorized state military or naval forces shall not be sold, bartered, exchanged, pledged, loaned or given away. No person not a member of the military forces of this State or the United States, or duly authorized officer or agent of the State or of the United States, who has possession of any such clothes, arms, military outfits or accoutrements so furnished and which have been the subject of any such unlawful disposition, shall have any right, title or interest therein; but the same shall be seized and taken wherever found by any officer of the state, civil or military, and shall thereupon be delivered to any commanding officer or other officer authorized to receive the same, who shall make an immediate report to the Adjutant General. The possession of any such clothes, arms, military outfits or accoutrements by any person not a member of the military forces of the State or of the United States shall be presumptive evidence of such sale, barter, exchange, pledge, loan or gift.

R.S.1954, c. 14, § 46.

§ 1164. Sale of equipment; penalty

Any person who shall sell, or offer for sale, barter, exchange, pledge, loan or give away, secrete or retain after demand made by any officer of the State, civil or military, any clothes, arms, military outfits or accoutrements furnished by or through the State to a member of the National Guard or other authorized

state military or naval forces, or who shall receive by purchase, barter, exchange, pledge, loan or gift, any such clothes, arms, military outfits or accoutrements, shall be guilty of a misdemeanor and punished by a fine of not more than \$100 or by imprisonment for not more than 6 months, or by both.

R.S.1954, c. 14, § 47.

§ 1165. Repair of equipment

The Adjutant General shall, whenever it may be necessary, make arrangements for the repair, cleansing and renovation of all clothes, arms, military outfits or accoutrements on hand or issued to any organization of the National Guard or other authorized state military or naval forces. When the necessity of such repair, cleansing or renovation is due to the default or negligence of any member of the National Guard or other authorized state military or naval forces, the cost thereof shall be charged against any pay due or to become due such member or recovered in the same manner as a fine, forfeiture or penalty, as prescribed by chapters 121 to 139.

R.S.1954, c. 14, § 48.

§ 1166. Inspection and condemnation

The inspector general or such other military officer as the Adjutant General may designate shall inspect and condemn public military property which has become unfit for use. No property shall be sold until it has been so inspected and condemned and such condemnation approved by the Adjutant General, and the proceeds of sales of condemned material, stores, supplies or other public military property of every kind shall be deposited with the Adjutant General, paid into the State Treasury and credited to the Military Fund.

R.S.1954, c. 14, § 49.

§ 1167. State equipment; obsolete patterns may be issued to municipalities

All property furnished by the State shall remain and continue to be the property of the State, to be used for military purposes only, and when not so in use shall be kept in the armories or designated places of deposit. Upon order of the Governor and Council, the quartermaster general is authorized to issue to the municipal officers of any city or town field ordnance of obsolete

pattern under such regulations as the Governor and Council may prescribe. Every officer receiving public property for military use shall be held responsible for the safekeeping and the return of the same when called for. He shall account for and make such returns thereof as may be prescribed whenever called upon to do so by the Governor or other proper authority.

R.S.1954, c. 14, § 50.

§ 1168. Destruction of equipment

Any officer, enlisted man or other person, who shall willfully or maliciously destroy, injure or deface any article of military property belonging to the State or United States, or shall use it for other than military purposes, or shall have or retain the same in violation of law or regulations, shall be punished by a fine of not more than \$50. In case any officer or enlisted man of the National Guard or other authorized state military or naval forces who has at any time through carelessness or inattention lost, destroyed or suffered to be lost or destroyed, any state or government property which has been issued for his use, the paymaster general shall retain out of the pay or allowances or moneys due such officer or enlisted man for any military services whatsoever, an amount of money equal to the value of the property so lost or destroyed, and money so retained shall be credited to the account of such officer of the National Guard or other authorized state military or naval forces as may be accountable to the State for said property. Such portion of said money as shall be for state property shall be turned in to the Treasurer of State, to be credited to the Military Fund, and such portion as may be for United States property shall be turned into the United States treasury to be credited to the State on its property returns.

R.S.1954, c. 14, § 51.