

MAINE STATE LEGISLATURE

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Note: See R. S., c. 29, § 75
Stinson v. Gardiner
42 Me. 254

June 2, 1933

State Highway Commission
Augusta, Maine

Gentlemen: Attention, Lucius D. Barrows
Chief Engineer

In answer to your inquiry of May 18 regarding the matter contained in a letter of Paul L. Woodworth to you dated May 15 relative to the erection of signs on the highway. In addition to the statute you mention I would call your attention to the fact that our Supreme Court has held in one case that, --

"The public have no right in a highway, excepting the right to pass and repass thereon. The horseman cannot stop to graze his steed without being a trespasser; it is only in case of inevitable, or at least accidental detention, that he can be excused even in halting for a moment."

In view of the statute and supplemented by this decision of the Court it would seem to me that it is entirely proper for you to erect signs providing for no stopping on the highway. It would certainly have a moral effect in any event.

With reference jto signs within the residential or business district, I think it perhaps wise for the municipal officers to erect such signs as may be necessary for this purpose although it is not improbable that on State highways the State Highway Commission would have power to erect such signs.

Trusting that the foregoing will give you the information you require, I am

Very truly yours,

Deputy Attorney General

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