

# MAINE STATE LEGISLATURE

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NEW DRAFT

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EIGHTY-SECOND LEGISLATURE

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S. P. No. 635

S. D. No. 302

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In Senate, April 2, 1925.

Reported by Mr. Hinckley from Committee on Judiciary  
and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-FIVE

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AN ACT to Create a State Athletic Commission for the Super-  
vision and Regulation of Boxing and Wrestling.

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

Section 1. The Governor shall, with the advice and con-  
2 sent of the council, appoint three persons who shall con-  
3 stitute the State Athletic Commission. No two members  
4 of this commission shall be residents of the same city or  
5 town. The commission member first appointed shall serve  
6 for one year, the second for two years and the third for  
7 three years, all such terms beginning January 1, 1926.  
8 Their successors shall be appointed for three years each.

Sect. 2. The commission, when appointed, shall meet for  
2 the purpose of selecting a chairman, for the adoption of a

3 seal, and to make and adopt such rules for the administra-  
4 tion of their office, not inconsistent with this act, as they  
5 may deem expedient, and they may thereafter amend or  
6 abrogate such rules. Two members of the commission shall  
7 constitute a quorum and the concurrence of at least two  
8 members of the commission shall be necessary to render a  
9 decision by the commission.

Sect. 3. The commission may appoint, and at pleasure  
2 remove, a secretary to the commission, whose duty it shall  
3 be to keep a full and true record of all its proceedings,  
4 preserve all its books, documents and papers, prepare for  
5 service such notices and other papers as may be required  
6 of him by the commission, and perform such other duties  
7 as the commission may prescribe.

Sect. 4. The commission shall appoint deputy commis-  
2 sioners to the number of three in each city and town in  
3 which boxing or wrestling clubs have been licensed in ac-  
4 cordance with this act, and it shall be the duty of one  
5 member of the commission or of one deputy to attend any  
6 boxing or wrestling match conducted according to the pro-  
7 visions of this act. Such deputy shall ascertain the exact  
8 conditions surrounding such match and make a written  
9 report of the same in the manner and form prescribed by  
10 the commission.

Sect. 5. All moneys received from license fees as herein-  
2 after provided shall be paid monthly by the secretary of  
3 the commission to the state treasurer, who shall keep the

4 moneys thus collected as a fund separate and apart for the  
5 payment, under the supervision of the commission of the  
6 expenses of the commissioners and the secretary of the  
7 commission.

Sect. 6. The expenses of the commissioners, their de-  
2 puties and their secretary, shall be paid monthly by the  
3 state treasurer from the fund provided in section five of  
4 this act provided, however, that no moneys shall be paid  
5 for expenses of the commissioners, or of the deputies or  
6 secretary except from the moneys raised by this act.

. Sect. 7. Boxing, sparring or wrestling matches or exhi-  
2 bitions for purses or where an admission fee is received are  
3 hereby allowed, except on Sunday. The commission shall  
4 have, and hereby is vested with, the sole direction, manage-  
5 ment, control and jurisdiction over all such boxing, sparring  
6 and wrestling matches or exhibitions to be conducted, held  
7 or given within this state, and it is hereby authorized to  
8 issue licenses therefor. No such boxing, sparring or  
9 wrestling match or exhibition shall be conducted, held or  
10 given within the state except in accordance with the pro-  
11 visions of this act. The commission is hereby given the  
12 sole control, authority and jurisdiction over all licenses to  
13 hold boxing, sparring or wrestling matches or exhibitions  
14 for purses or where any admission fee is received, and  
15 over all licenses to any and all persons who participate  
16 therein, as hereinafter provided. No license shall be issued  
17 for any such match or exhibition in any city or town where

18 such match or exhibition is prohibited by by-law or by  
19 ordinance.

Sect. 8. The commission may issue a yearly license to  
2 corporations, firms, partnerships or individuals to conduct  
3 boxing, sparring or wrestling matches or exhibitions in ac-  
4 cordance with this act, in the city or town designated and  
5 no such corporation, firm, partnership or individual shall be  
6 permitted to conduct such a match or exhibition unless they  
7 shall have first procured a license from the commission.  
8 Any corporation, firm, partnership or individual may obtain  
9 separate licenses, at the discretion of the commission, to  
10 conduct boxing, sparring or wrestling matches or exhibi-  
11 tions in other cities or towns than that in which the appli-  
12 cant is a resident. Before a license shall be granted as  
13 provided in this section, the applicant for said license shall  
14 execute and file with the commission a bond in the sum of  
15 one thousand dollars to be approved as to form and suffi-  
16 ciency of sureties thereon by said commission, conditioned  
17 for the faithful performance by said corporation, firm, part-  
18 nership or individual of the provisions of this act and the  
19 rules and regulations of the commission. No such license  
20 shall be issued until such bond is approved, and filed. In  
21 case of default in the performance of any of the conditions  
22 prescribed by this act or by the rules and regulations of the  
23 commission, the commission shall impose upon the delin-  
24 quent a penalty in the sum of not more than one thousand  
25 dollars for each offense, which shall be recovered by the

26 attorney general, in the name of the state in the same man-  
27 ner as other penalties are recovered by law. Any amount  
28 so recovered shall be paid to the state treasurer, for the  
29 use of the state, and shall be credited to the fund provided  
30 in section five of this act.

Sect. 9. Any person or persons directly or indirectly  
2 holding any boxing, sparring or wrestling match or exhibi-  
3 tion, except where all the contestants are amateurs, without  
4 having first procured a license, shall be guilty of a mis-  
5 demeanor, and, on conviction, shall be sentenced to pay a  
6 fine, of not exceeding one thousand dollars for each offense.

Sect. 10. The commission may issue licenses to physicians,  
2 referees, judges, timekeepers, professional boxers, profes-  
3 sional wrestlers, their managers, trainers and seconds, and  
4 no such person shall be permitted to participate, either di-  
5 rectly or indirectly, in any such boxing, sparring or wrestling  
6 match or exhibition, or the holding thereof, unless he shall  
7 have first procured a license from the commission. For  
8 the purposes of this act a "professional boxer" or a "profes-  
9 sional wrestler" is deemed to be one who competes for  
10 money, or teaches or pursues or assists in the practice of  
11 boxing or wrestling as a means of obtaining a livelihood or  
12 pecuniary gain.

Sect. 11. No person under the age of eighteen years shall  
2 participate in any boxing, sparring or wrestling match or  
3 exhibition; and no children under sixteen years of age shall  
4 be permitted to attend as spectators.

Sect. 12. No corporation, firm, partnership or individual shall have, either directly or indirectly, any financial interest in any boxer or wrestler competing on premises owned, leased or rented by such corporation, firm, partnership or individual, or in which such corporation, firm, partnership or individual is otherwise interested.

Sect. 13. Every corporation, and the officers thereof, and any person or persons, physician, referee, judge, timekeeper, professional boxer, professional wrestler, manager, trainer or second, who shall conduct, give, or participate in any sham or delusive boxing, sparring or wrestling match or exhibition, shall be deprived of his license by the commission.

Sect. 14. Any licenses provided for in this act may be revoked or suspended by the commission for the reason, therein stated, that the licensee has, in the judgment of the said commission, been guilty of an act detrimental to the interests of boxing or wrestling.

Sect. 15. No contestant shall be paid for services before the contest and should it be determined by the judges and referee that such contestant did not give an honest exhibition of his skill, such services shall not be paid for.

Sect. 16. No boxing or sparring match or exhibition shall be of more than ten rounds in length, nor shall such rounds be more than three minutes each. No boxer shall be allowed to participate in more than ten rounds within twenty-four consecutive hours. The commission may, in respect

6 to any bout, or in respect to any class of contestants, limit  
7 the number of rounds of a bout within the maximum of  
8 ten rounds. At each boxing or sparring match or exhibi-  
9 tions there shall be in attendance at the expense of the  
10 corporation, firm, partnership or individual holding a license  
11 for such match or exhibition, a duly licensed referee, who  
12 shall direct and control the same. Before starting such  
13 contest the referee shall determine from each contestant the  
14 name of his chief second and shall hold such chief second  
15 responsible for the conduct of his assistant seconds during  
16 the progress of the contest. The referee shall have power,  
17 in his discretion to declare forfeited any remuneration or  
18 purse, or any part thereof, belonging to the contestants, or  
19 one of them, if, in his judgment, such contestant or con-  
20 testants are not honestly competing. Any remuneration or  
21 purse, or part thereof, so forfeited shall be paid into the  
22 state treasury for the use of the state, and shall be credited  
23 to the fund provided in section five of this act. There also  
24 shall be in attendance at the expense of the licensee, two  
25 duly licensed judges, who shall, at the termination of each  
26 such boxing or sparring match or exhibition, render their  
27 decision in writing separately and without consultation and  
28 transmit it to the referee. If they are unable to agree, the  
29 decision shall be rendered by the referee. Each referee  
30 shall be paid, prior to the match or exhibition at which he  
31 officiates, not less than ten dollars, by the licensee; and  
32 each judge, prior to the match or exhibition at which he



33 officiates, not less than five dollars, by the licensee. Each  
34 contestant shall wear during such contest gloves weighing  
35 not less than five ounces, if such contestant is a lightweight  
36 or in a class of less weight; and six ounces if such con-  
37 testant is in a class heavier than the lightweight class.

Sect. 17. Every application for license shall be in writing,  
2 shall be addressed to the commission, shall be verified by  
3 the applicant, and shall set forth such facts as the pro-  
4 visions of this act and the rules and regulations of the  
5 commission may require. The commission shall keep prop-  
6 er records, with the names and addresses, of all persons,  
7 firms, partnerships or corporations receiving licenses under  
8 this act.

Sect. 18. The following annual license fees, payable to  
2 the state treasurer to be credited to the fund provided in  
3 section five of this act, shall be assessed: For corporation,  
4 firm, partnership or individual, to conduct boxing, sparring  
5 or wrestling matches or exhibitions, one dollar and fifty  
6 cents for each thousand of population in the city or town  
7 where such license is granted, based on the last previous  
8 decennial United States census. For the purposes of this  
9 act the following cities and towns are, in the specified groups  
10 of two, to be considered as one city or town: Lewiston and  
11 Auburn; Bangor and Brewer; Biddeford and Saco; Water-  
12 ville and Winslow; Rumford and Mexico; Norway and So.  
13 Paris; and such others as the commission may rule.

Referee—Twelve dollars and fifty cents.

Judge—Five dollars.

Timekeeper—Five dollars.

Physician—Five dollars, provided, however, that a physician who wishes to make examination without charge shall be licensed without charge.

Manager—Twelve dollars and fifty cents.

Boxer or wrestler—Five dollars.

Seconds—Five dollars.

Non-resident boxer in feature bout, for one appearance, five dollars.

Non-resident boxer in all star exhibition for one appearance, five dollars.

Non-resident boxer in semi-final bout, for one appearance, two dollars.

Non-resident boxer in preliminary bout, for one appearance, one dollar.

Non-resident manager for one appearance, five dollars.

Non-resident second for one appearance, one dollar.

Sect. 19. The weights and classes of boxers and the rules and regulations of boxing shall be determined by the commission. No contest shall be allowed in which the difference in weight of the respective contestants shall exceed ten pounds, but this provision shall not apply to boxers in the heavyweight and lightweight classes as determined by the commission. No boxer shall enter the ring unless, not more than five hours before, a physician duly licensed under this

9 act shall certify in writing that the boxer is physically fit  
10 to engage in the proposed contest, and such certificate shall  
11 state the exact weight of the contestant examined.

Sect. 20. Whoever shall bet or wager any money or  
2 valuable thing, or sell pools, on the result of any such box-  
3 ing, sparring, or wrestling match or exhibition shall be  
4 guilty of a misdemeanor, and on conviction thereof, shall  
5 be fined not exceeding five hundred dollars, or imprisoned  
6 in the jail of the proper county for a term not exceeding  
7 six months, or both, at the discretion of the court.

Sect. 21. The provisions of this act shall not prohibit any  
2 duly constituted organization or association, organized for a  
3 lawful purpose, from having boxing, sparring or wrestling  
4 matches or exhibitions when such matches or exhibitions  
5 are conducted not for private profit, and where the receipts,  
6 if any, are to be paid into the treasury of an organization  
7 incorporated under section one of chapter sixty-two of the  
8 revised statutes of nineteen hundred and sixteen as amended  
9 or to some public charity.

Section five of chapter one hundred and twenty-five of the  
2 revised statutes is hereby repealed.