

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 35

H. P. 51

House of Representatives, January 14, 1941.

Referred to Committee on Legal Affairs. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. McGlaulin of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT to Regulate the Sale of Fireworks in the State of Maine.

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

Sec. 1. Devices for firing blank cartridges, and fire balloons, etc., not to be sold. It shall be unlawful to sell any toy gun, toy cane or cannon that can be used to fire blank cartridge or cartridges, any fire balloon, so-called, parachute or similar article carrying a lighted substance.

Sec. 2. Limitation on shell of salutes to be sold. It shall be unlawful to sell any marble salute, cherry salute, globe flash salute, so-called, or any firecracker or salute having a shell or casing combined on any substance harder than any ordinary paper.

Sec. 3. Limitation on size of salutes and torpedoes to be sold. It shall be unlawful to sell any O. K. salutes and flash salute, radio flash salute, devil dog salute, so-called, or any firecracker or salute the external dimensions of which exceed 2 inches in length or $\frac{1}{2}$ inch in diameter, or which is designed to explode upon the ground when containing over 10 grains of explosive composition. No torpedoes, so-called, shall be sold when exceeding the length of $\frac{7}{8}$ of an inch in diameter or containing over 4 grains of explosive composition, nor any rocket larger than those com-

mercially designed and 1 pound in weigh, provided, however, that the above shall not apply to sky rockets discharged in pyrotechnical display when in the hands of competent experts. No salute shall be sold exceeding 2 inches in length, and none shall contain dynamite, fulminate of mercury, nitro-glycerine or any high explosive known as T. N. T. provided, however, that this shall not apply to the use of signal torpedoes by railroads in the operation with their trains.

Sec. 4. Limitations on sale of fireworks enumerated in section 3. No fireworks enumerated in section 3 of this act shall be displayed for sale except in show cases on shelves or in windows where they are completely enclosed.

Sec. 5. Manufacturers of fireworks to furnish bond. Any person, firm or corporation that manufactures fireworks that contracts with any city or town to furnish a public display of fireworks shall post a bond in the sum of \$10,000 with the city or town treasurer, to reimburse the said city or town for any damages caused by the use of the fireworks, provided, however, that the above shall not apply to a display of fireworks that does not exceed \$150 in cost.

Sec. 6. Use of Bear Cat torpedoes, and sky rockets regulated. It shall be unlawful to carry for sale or give away any torpedo of the type known to the trade as a Bear Cat torpedo. It shall be unlawful for any person or persons to lay any sky rocket on any sidewalk, street, or vacant lot within the state, but all sky rockets shall be discharged upwards in chutes or racks.

Sec. 7. Use of chlorate of potash, etc., regulated. It shall be unlawful to carry for sale any tablet or pill containing chlorate of potash, sulphur or charcoal, or to sell any device known to the trade as cane, or to place the same upon the rail of any electric car track or steam car track.

Sec. 8. Dago bombs forbidden. It shall be unlawful to have for sale in the state any dago bombs or aerial flash salutes. It shall be unlawful to discharge within the limits of the state any blank cartridge from any revolver fowling pieces, cannon or other firearms from the 1st day of July until the 5th day of July, provided, however, that this does not apply to the use of such weapon for the defense of any person or persons or property of the person and furthermore this shall not apply to any military exercise or review.

Sec. 9. Penalty. Whoever violates any of the provisions of this act shall be punished by a fine of not more than \$100 or by imprisonment for not more than 30 days in jail, or by both such fine or imprisonment.

Sec. 10. Repealing clause. All acts or parts of acts inconsistent with the provisions hereof are hereby repealed or amended to conform with the provisions hereof.

Sec. 11. Effective date. This act shall take effect on July 5, 1941.