

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 1239

S. P. 576

In Senate, March 3, 1949.

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Slocum of Cumberland by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Discriminating Against Persons.

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

R. S., c. 124, § 44, repealed and replaced. Section 44 of chapter 124 of the revised statutes is hereby repealed and the following enacted in place thereof:

‘Sec. 44. Discrimination against persons; penalty. All persons within the jurisdiction of this state regardless of race, color or creed are entitled to the full and equal enjoyment of all accommodations, advantages, facilities and privileges of various places or agencies which are of public or a quasi-public character, or which invite the patronage of the public more or less generally subject only to the conditions and limitations established by law and applicable alike to all citizens or persons.

No person being the owner, lessee, proprietor, manager, superintendent, agent or employee of any such place of public accommodation, resort or amusement shall directly or indirectly, by himself or another, publish, issue, circulate, distribute or display, in any way, any advertisement, circular, folder, book, pamphlet, written or painted, or printed notice or sign, of any kind or description, intended to discriminate against or actually discriminating against persons of any religious sect, creed, class, denomination or na-

tionality, in the full enjoyment of the accommodations, advantages, facilities or privileges offered to the general public by such places of public accommodations, resort or amusement.

A place of accommodation, either public, quasi-public, or one which invites the public more or less generally within the meaning of this section, shall be deemed to include any inn, whether conducted for the entertainment, housing or lodging of transient guests, or for the benefit, use or accommodation of those seeking health, recreation or rest, any restaurant, eating-house, public conveyance on land or water, bath house, barber shop, theaters and movies, elevators, shoe shine parlors, taverns, rest rooms, skating rinks, pool rooms, and stores of all kinds.

Nothing in this section contained shall be construed to prohibit the mailing of a private communication in writing sent in response to specific written inquiry.

Any person who shall violate any of the provisions of this section, or who shall aid or incite the violation of any of said provisions, shall for each and every violation thereof be liable to a penalty of not less than \$100, nor more than \$500, to be recovered by the person aggrieved thereby or by any resident of this state, to whom such person shall assign his cause of action, in any court of competent jurisdiction in the county in which the plaintiff or the defendant shall reside; and shall, also, for every such offense be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100, nor more than \$500, or by imprisonment for not less than 30 days nor more than 90 days, or by both such fine and imprisonment.'