

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-THIRD LEGISLATURE
OF THE
STATE OF MAINE
1907.

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1907.

CHAP. 130**Chapter 130.**

An Act to extend the close season on Muskrats.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Close time
on musk-
rats.

—penalty.

Exceptions.

Lily pond.

inconsistent
acts
repealed.

Section 1. It shall be unlawful to catch, kill, or destroy any muskrat from May first to December first following of each year, under a penalty of ten dollars for each muskrat unlawfully caught, killed or destroyed.

Section 2. Provided, however, that the provisions of section eleven of chapter thirty-two of the revised statutes relating to the taking of muskrats in Lily pond, in the towns of Rockport and Camden, shall remain unchanged, and provided, further, that it shall be lawful to kill such muskrats as interfere at any time with the operation and maintenance of any canal, ditch, lawful dam or cranberry bog, and provided, further, that this act shall in no way change or repeal the provisions of chapter one hundred ninety-nine of the private and special laws of nineteen hundred and five, relating to the taking of muskrats in the towns of Hartland, Harmony, Athens and Palmyra.

Section 3. All acts and parts of acts inconsistent with this act, are hereby repealed.

Approved March 26, 1907.

Chapter 131.

An Act to provide for the pay and care of the members of the National Guard for disability while in the service.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Pay and
care of
members of
national
guard dis-
abled while
in service.

—proviso.

Section 1. A member of the national guard or naval militia who shall, when on duty or assembled therefor, in case of riot, tumult, breach of the peace, insurrection or invasion, or whenever in attendance at the annual encampment under order of the commander-in-chief, or when called in aid of the civil authorities, receive any injury, or incur or contract any disability or disease, by reason of such duty or assembly therefor, which shall temporarily incapacitate him from pursuing his usual business or occupation, shall, during the period of such incapacity, receive the same pay which he would be entitled to if on duty and actual necessary expenses for care and medical attendance, provided, however, that he shall show that such disease or disability is due to no fault or neglect of his own, and if contracted while on duty during the annual encampment, that it is due entirely to the unsanitary condition of the camp or the negli-

CHAP. 131

gence of the officials having the same in charge. No claim shall be allowed under this section unless the claimant within thirty days after the close of the annual encampment or after receiving the injury or contracting the disease or disability upon which the claim is made, notifies in writing the adjutant general of his intention to make such claim. Under this section no disability shall be considered temporary which continues more than ninety days from the date of receiving the injury or of incurring or contracting the disease or disability, and pay and expenses for care and medical attendance for more than the said ninety days shall not be allowed. Where a claim is made under this section the claimant shall, within thirty days after receiving the injury or contracting the disease or disability upon which the claim is made, or such further time as the adjutant general shall grant, submit to the adjutant general his proof by affidavits or otherwise as the adjutant general may direct. On examination thereof the adjutant general may allow or disallow the whole or any part of said claim. He may at his discretion cause examinations of the claimant to be made from time to time by a medical officer or officers designated for the purpose, and he may direct the removal of a claimant to, and his treatment in, a hospital designated by the adjutant general, and if the claimant refuses to permit any such examination or if he refuses to go to such hospital or to follow the advice given or treatment prescribed for him therein, he shall thereby forfeit and be barred from all right to any claim or allowance under this section, or he may refer the same to a board of inquiry who shall have the same power to take evidence, administer oaths, issue subpoenas and compel witnesses to attend and testify and produce books and papers and punish their failure to do so, as is possessed by a general courtmartial. If the claim is so referred to a board of inquiry its findings shall be subject to the approval of the adjutant general. He may approve either the whole or any part thereof, or he may return the proceedings of the board for revision and for taking further testimony. The amount which shall be found due such member by the adjutant general, either on his own investigation, the report of a medical examiner, or to the extent that the findings of a board of inquiry are approved by him, shall be a claim against the state of Maine and the adjutant general shall so certify to the governor and council who will cause their warrant to be drawn for the amount so certified and the treasurer of the state of Maine shall pay said amount to the claimant from any moneys in the treasury not otherwise appropriated.

—claimant shall notify adjutant general.

—term of disability.

—proof of disability.

—examination of claimant.

—claim against the state.

Section 2. This act shall take effect when approved.