

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

Published by the Secretary of State, in accordance with the Resolves of the Legislature
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Ninth Legislature

1919

[supplied from page 3 of volume]

CHAP. 81

bering" in the fourth line and inserting in place thereof the word 'such', so that said section, as amended, shall read as follows:

'Sec. 67. Temporary crossings may be established for transportation of wood, coal, ice, hay or other commodities. A railroad company may, for the purpose of accommodating lumbering operations and for the transportation in ordinary vehicles of wood, coal, ice, hay or other commodities, establish and maintain temporary crossings of any railroad operated by it, by agreement with any person who may request such crossing for such purposes; and upon petition, the public utilities commission, after notice and hearing, may direct any railroad company to establish and maintain such temporary crossings at such places on its line of road as said commission shall deem expedient, and thereupon said railroad company shall establish such crossing and maintain the same in accordance with the provisions of this section and the three following sections.'

Sec. 2. Public utilities commission may order temporary crossing discontinued, when no longer necessary. Whenever in the opinion of the public utilities commission, any temporary railroad crossing established under the provisions of this chapter is no longer necessary, said commission may, on its own motion or on petition of any interested party, after notice and hearing, order such crossing discontinued.

Approved March 19, 1919.

Chapter 81.

An Act to Provide for a Draft, When Necessary, to Maintain the Minimum Number Required by Law for Organizations of the National Guard in Time of Peace.

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

National guard organizations may be filled by draft from unorganized militia in time of peace; men having prior service exempt; penalty for contempt. If in time of peace any company, troop, battery or detachment of the National Guard shall have failed by voluntary enlistment to obtain the minimum strength required by the laws of the United States, the commanding officer of such company, troop, battery or detachment shall report to the adjutant general the number of enlisted men required and in addition a number equal to the loss expected during the succeeding three months, of enlisted men whose terms of active service expire during that period and who have signified their intention of not continuing in active service or re-enlisting. The adjutant general shall, upon receipt of such report, inform the governor of the facts, and the governor shall then draft from the unorganized militia of the town or city where such company, troop, battery or detachment is located, or from adjacent towns or cities, the number of men required to maintain such minimum strength,

and in addition such number as he may deem necessary to allow for possible rejections. Such drafts shall be made by order directed to the selectmen of the town or the mayor of the city where such company, troop, battery or detachment is located, or to the selectmen of adjacent towns or the mayors of adjacent cities, who shall, within five days, transmit to the adjutant general a list containing the names of all persons in such towns or cities between the ages of eighteen and thirty who are unmarried, and who are subject by law to military enrolment. The adjutant general or some officer detailed by him shall prepare slips upon which shall be placed the names of all persons on such list and within five days after the receipt of such list, the adjutant general or some officer detailed by him shall, in the presence of one of the selectmen or some other official of such towns or the mayors or other officials of such cities, place such slips in a box and draw therefrom the number required by said draft. All men whose names are so drawn shall be ordered by the adjutant general to report to the commanding officer of such company, troop, battery or detachment, at a certain time and place and submit to the necessary physical examination. Such orders shall be in writing and a copy thereof shall be served upon each man so drafted, by a sheriff, other proper officer, or indifferent person, at least six days before the time designated for reporting to such commanding officer. From those who have passed such physical examination, a sufficient number of names shall be selected to fill all vacancies existing or expected at the date of draft, the method of selection being the same as hereinbefore provided, except that the adjutant general shall be represented by the commanding officer of the company, troop, battery or detachment concerned and the drawing shall be made in the presence of those present subject to draft. All men so selected who do not volunteer to enlist shall thereupon be enrolled as members of the national guard for a period of one enlistment. All men so enrolled shall be considered as regularly enlisted and shall be subject to all laws, regulations and discipline governing the national guard. Any person so drafted, in any order to report, as hereinbefore provided, who, having been personally served with a copy of such order, shall fail to appear at the time and place designated by such order or who shall fail to present to such commanding officer a sworn certificate from a physician in good standing, of physical disability, shall be fined not less than ten nor more than fifty dollars for each day he shall fail to appear. The courts of this state shall have jurisdiction of all prosecutions under the provisions of this section. Provided: That all men having an honorable record of prior service in the United States army, navy or marine corps, or in the national guard of the United States may be exempt from compulsory service under the provisions of this act.