

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eightieth Legislature

OF THE

STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eightieth Legislature

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CHAP. 216

maintenance the commission shall have the powers of municipal officers conferred by section twenty-six of chapter twenty-two of the revised statutes relating to construction and maintenance of ditches and drains, and the powers conferred upon municipal officers and road commissioners by section one hundred and four of chapter twenty-four of the revised statutes as hereby amended. The commission shall whenever practicable give preference in employment to the inhabitants of the town in which such highways are located.'

Sec. 2. R. S., c. 24, § 104; relating to the removal of obstructions from highways by road commissioners, amended. Section one hundred and four of chapter twenty-four of the revised statutes is hereby amended by inserting after the words "road commissioner" in the second line of said section the words 'or municipal officer,' so that said section, as amended, shall read as follows:

'Sec. 104. Like authority conferred upon municipal officers. When logs, lumber or other obstructions, without necessity are left on such ways, any road commissioner or municipal officer may remove them; and he shall not be liable for loss or damage thereof, unless occasioned by design or gross negligence. When no one appears to pay the expense and trouble of removal, he may sell at public auction so much thereof, as is sufficient for the purpose, with charges of sale, posting notice of the time and place of sale in two public places in the town seven days prior thereto. The person, through whose neglect or wilful default they were left, may be prosecuted as for a nuisance.'

Approved April 9, 1921.

Chapter 216.

An Act Prohibiting Public Games and Amusements on Memorial Day.

Whereas, there is grave danger that Memorial Day, through thoughtlessness, is tending gradually to lose its tender significance and solemn impressiveness as a day devoted to the memory of those heroic men who dared and suffered when the life of the nation was at stake, most of whom now lie sleeping, the battle done, on the quiet hillsides of the state they loved and served so well; and

Whereas, the proper observance of Memorial Day is not alone demanded by our debt of gratitude to those men which we never can repay, but is conducive to the thrill and very essence of patriotism which is in the heart of every true American, conscious of his rich heritage; and

Whereas, legislation to secure the proper observance of Memorial Day is therefore immediately necessary for the preservation of the public peace, health and safety; now therefore,

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

Sec. 1. Public outdoor sports where admission is charged, prohibited on Memorial Day. Whoever on Memorial Day engages in any public outdoor game or sport where an admission is charged or collection is taken shall be punished by a fine not exceeding twenty-five dollars or imprisonment not exceeding ten days, or by both such fine and imprisonment. Judges of municipal and police courts and trial justices shall have jurisdiction of all offenses under this act.

Sec. 2. Emergency clause. In view of the emergency expressed in the preamble hereof, this act shall take effect when approved.

Approved April 9, 1921.

Chapter 217.

An Act to Amend Sections Eight, Twenty-two, Thirty-seven, Fifty-three, Fifty-four, Fifty-five, Fifty-seven, Sixty-three, Sixty-four and Eighty-eight of Chapter Two Hundred Fifty-nine of the Public Laws of Nineteen Hundred and Seventeen, Known as the Military Law.

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

Sec. 1. 1917, c. 259, § 8; relating to the governor's staff, amended. Section eight of chapter two hundred fifty-nine of the public laws of nineteen hundred and seventeen is hereby amended by inserting before the word "all" in the fifth line thereof the words 'except as hereinafter provided,' and by adding after the words "commander-in-chief" in the fifteenth and sixteenth line thereof the following: 'provided that honorably discharged officers or enlisted men who served in the United States army or navy during the World War may be appointed as aides-de-camp with rank of colonel or naval aide with the rank of lieutenant-commander on the staff of the commander-in-chief, but officers so appointed shall not be considered as members of the national guard and shall serve only during the term of office of the governor making the appointment,' so that said section, as amended, shall read as follows:

'Sec. 8. Providing for the appointment of honorably discharged officers or enlisted men who served in the World War, as aides-de-camp. The staff of the commander-in-chief shall consist of the adjutant general, who shall be ex-officio chief of staff, quartermaster general, and paymaster general with rank of brigadier general, the senior officer on duty with each of the staff departments, and four aides-de-camp,