

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-first Legislature

OF THE

STATE OF MAINE

1923

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-First Legislature

1923

[supplied from page 1 of volume]

Chapter 142.

An Act to Provide for the Licensing, Inspection and Regulation of Hotels and Private Lodging Houses.

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

Sec. 1. Municipal officers may, by ordinance, require lodging houses to be licensed; lodging house defined. The municipal officers of cities and towns shall have authority to require by ordinance the granting of licenses to lodging houses. The term "lodging house" shall not be deemed to include a house where lodgings are let to less than five lodgers, nor to the dormitories of charitable, educational or philanthropic institutions, nor to the emergency use of private dwelling houses at the time of conventions or similar public gatherings. The term "lodger" shall not be deemed to include persons within the second degree of kindred to the person conducting a lodging house.

Sec. 2. Licenses may be issued by same persons issuing innkeepers' and victuallers' licenses; term of license; no fee. Licenses under this act may be issued by the same persons issuing innkeepers' and common victuallers' licenses, as provided in section one of chapter thirty-one of the revised statutes and shall be for the same period as provided in said section. All innkeepers' licenses issued after the passage of this act shall be expressed to be subject to the provisions of this act. No license fee shall be collected for a lodging house license.

Sec. 3. Register to be kept; true name of guests to be inscribed therein; contents and method of keeping register prescribed; register open to inspection of licensing authority; penalty for violation. Every person conducting any hotel or lodging house as defined and designated in this act shall at all times keep and maintain, or cause to be kept and maintained therein a register in which shall be inscribed the true name of each and every guest or person renting or occupying a room or rooms therein. Such register shall be signed by the person renting such room or rooms, or by some one under his direction; and the proprietor of such hotel or lodging house, or his agent, shall thereupon write opposite such name or names so registered the number of each room assigned to and occupied by each such guest, together with the date such room is rented. The proprietor of such hotel or lodging house, or his agent, shall also keep and preserve a record showing the date when the occupant of each room so rented shall quit and surrender the same. Such record may be made a part of the register, and both shall be kept available for a period of two years at all reasonable times to the inspection of any lawful agent of the licensing authority. Any person who wilfully violates any provision of this section shall be punished by a fine of not less than one hundred dollars nor more

CHAP. 142

than five hundred dollars or by imprisonment for not more than ninety days for each offense or by both such fine and imprisonment.

Sec. 4. No person shall write other than true name in register; all persons must register; penalty for violation. No person shall write, or cause to be written, or if in charge of a register knowingly permit to be written, in any register in any lodging house or hotel any other or different name or designation than the true name or names in ordinary use of the person registering or causing himself to be registered therein. Nor shall any person occupying such room or rooms fail to register or fail to cause himself to be registered. Any person violating any provision of this section shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars for each offense.

Sec. 5. License may be revoked or suspended; hearing must be held and licensee given opportunity to hear evidence; notice, how served; appeals. A license issued under the provisions of this act or an innkeeper's license, may be revoked if at any time the licensing authority shall be satisfied that the licensee is unfit to hold the license. It shall also have the right to suspend and make inoperative for such period of time as it may deem proper all the aforesaid licenses mentioned herein for any cause deemed satisfactory to it. The revocation and suspension shall not be made until after investigation and hearing, nor until the licensee shall have been given opportunity to hear the evidence in support of the charge against him and to cross-examine, himself or through counsel, the witnesses, nor until the licensee shall have been given an opportunity to be heard; notice of hearing shall be served on the licensee or left at the premises of the licensee not less than three days before the time set for the hearing. The licensing authority, as designated in this act, is hereby specifically charged with the duty of enforcing its provisions and of prosecuting all offenders against the same. Appeal from the decision of the licensing authority may be had to the supreme judicial court, or to the superior court in and for the county in which the licensing authority is located, in the usual manner provided for appeals from municipal courts; courts of competent jurisdiction, for due cause shown, may issue temporary orders returning the enforcement of such revocations and suspensions and after full hearing may vacate such temporary orders or make same permanent.

Sec. 6. Copy of this act to be posted near the register. All licensed innholders and all licensees under this act shall post in a conspicuous place near the register, if required by the licensing authority, a notice to be furnished by it containing the provisions of this act relating to the entry

of names in the register, together with the penalties herein provided for their violation.

Sec. 7. Record of convictions to be transmitted by clerk of court to licensing authority. The clerk of a court in which any person is convicted of a violation of any provision hereof shall forthwith send a copy of the record of the conviction to the licensing authority in the city or town where the offense occurred.

Approved March 31, 1923.

Chapter 143.

An Act to Amend Section Twenty-four of Chapter Seventy of the Revised Statutes, Relating to Deposits in the County Treasury of Certain Sums of Money Derived from Estates in the Probate Court.

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

R. S., c. 70, sec. 24; relating to deposits in county treasury on money derived from estates, amended. Section twenty-four of chapter seventy of the revised statutes is hereby amended by striking out the words "county commissioners" in the fourth line thereof and inserting in place thereof the words 'judge of probate,' and striking out the words "county commissioners" in the fifth and sixth lines thereof, and inserting in place thereof the words 'judge of probate,' and by striking out the word "warrant" in the sixth line thereof, and inserting in place thereof the word 'decree,' so that said section, as amended, shall read as follows:

'Sec. 24. Persons entitled to deposits to present evidence to judge of probate. At any time within twenty years from the date when the deposit mentioned in section twenty is made with the county treasurer, the person entitled thereto or his executor, administrator or assigns, may present to the judge of probate evidence of his right to the same, and upon satisfactory proof that he or they are entitled thereto, the judge of probate shall by decree, direct the county treasurer to pay over to such person or persons the amount of the original deposit, with interest at the rate of two per cent per annum from the date of deposit; provided, that all sums of money paid to the county treasurer by any savings bank shall draw interest at the same rate as was paid by said bank at the time of payment to the county treasurer. The county treasurer shall annually in the month of January publish in one or more newspapers, published and printed within the county, and in the state paper, a list of all persons entitled to such deposits. The county shall have the use and income of all such deposits and after twenty years from the date of each deposit, if not claimed and paid over to the person entitled thereto, his heirs, executors, administrators or assigns, the same shall escheat to the county; pro-