

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-second Legislature

1925

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cities, towns and plantations wherein such dependents respectively reside, in sums not exceeding five dollars a week, to relieve the necessitous circumstances of the wife, infirm and dependent father or mother of such soldier, sailor or marine, and a sum not exceeding two dollars a week to relieve the necessitous circumstances of each child under the age of sixteen years or other member of the family incapable of self-maintenance who was or is dependent upon such soldier, sailor or marine. Any person entitled to receive aid hereunder shall not forfeit the same by reason of temporary absence from the state.'

Approved April 8, 1925.

Chapter 180.

An Act Relating to Application for License to Build or Extend Wharves or Fish Weirs.

Emergency preamble. Whereas, by chapter one hundred and thirty-five of the public laws of nineteen hundred and twenty-one, by chapter eighty-five of the public laws of nineteen hundred and twenty-three and by chapter one hundred and twenty-seven of the public laws of nineteen hundred and twenty-three, section one hundred and twenty-one of chapter four of the revised statutes, relating to application for licenses to build or extend wharves or fish weirs was amended, and

Whereas, through inadvertence, accident or mistake the words "wharf or" were omitted in the first, eighth, sixteenth, twenty-eighth and thirty-sixth lines thereof, so that said section as amended failed to provide for wharves built or extended in tide waters, and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of the constitution of the state of Maine, and therefore require the following legislation as an immediate necessity 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:

R. S., c. 4, sec. 121; P. L., 1921, c. 135, relating to application for license to build or extend wharves and fish weirs, proceedings, bond, etc., amended. Section one hundred and twenty-one of chapter four of the revised statutes, as amended by chapter one hundred and thirty-five of the public laws of nineteen hundred and twenty-one, is hereby further amended, by inserting before the word "fish" in the first line thereof, the words 'wharf or'; by inserting before the word "weir" in the eighth line the words 'wharf or' and by inserting before the word "fish" in the sixteenth line, the words 'wharf'; by inserting the words 'wharf or' before the word "weir" in the

twenty-eighth and thirty-sixth lines, so that section, as amended, shall read as follows:

'Sec. 121. Made applicable to building and extending wharves. Any person intending to build or extend any wharf or fish weir or trap in tide-waters, within the limits of any city or town, may apply in writing to the municipal officers thereof, stating the location, limits and boundaries, as nearly as may be, of such intended erection or extension, and asking license therefor. Upon receiving such application, said officers shall give at least three days' public notice thereof in a newspaper, published in the municipality, or in the newspaper, published in the county, which is nearest the municipality in which the proposed wharf or weir is to be located, and shall therein designate a day on which they shall meet on or near the premises described, and examine the same. If upon such examination and hearing of all parties interested, said officers decide that such erection or extension would not be an obstruction to navigation, or an injury to the rights of others, and determine to allow the same, they shall issue a license under their hands to the applicant, authorizing him to make such erection or extension, and to maintain the same within the limits mentioned in such license; the applicant for license to build or extend a wharf, fish weir or trap as aforesaid, shall first give bond to the town, without sureties, in the sum of one hundred dollars, conditioned that upon the termination of such license he shall remove all stakes and brush from the location therein described. Any person aggrieved by the decision of the municipal officers in either granting or refusing to grant a license as hereinbefore provided may appeal to the commission of sea and shore fisheries. On receiving such an appeal, said commission shall set a time and place for a hearing and give notice thereof in the same manner as is hereinbefore provided for a hearing, before municipal officers. At least two members of the commission shall be present at the hearing and no member of the commission shall act on any appeal in any town of which he may be a resident or the owner of a wharf or a weir. The party appealing from the decision of the municipal officers, shall at the time of entering his appeal, file a bond without sureties in the sum of twenty-five dollars with the treasurer of the state and such bond shall be forfeited to the state if the appellant fails to prosecute his appeal or if the decision of the commission of sea and shore fisheries sustains that of the municipal officers. The decision of the said commission shall be communicated within three days after the date of the hearing to the appellant and to the municipal officers of the town in which the proposed wharf or weir is located; and this decision shall be binding on said municipal officers, who shall issue a license, if so directed by the decision of the commission, within three days after said decision has been communicated to them.'

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Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 9, 1925.

Chapter 181.

An Act to Reimburse Towns for Supplies Furnished Certain Indians.

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

Relief of Indians not members of Penobscot or Passamaquoddy tribes; overseers of poor to transmit to governor and council a statement of such cases; contents of statement. Whenever any Indian, not a member of the Penobscot or Passamaquoddy tribe of Indians or any member of the family of such Indian, is found destitute and in distress, and is relieved by the overseers of the poor of the town required by law to provide relief for such person, the overseers of the poor shall transmit to the governor and council a statement specifying the nature, dates and amounts of the supplies furnished, together with a statement of fact relating to the condition, tribe, length of time in the state of Maine so far as may be ascertained, and such other data as may be required concerning such Indian, whereupon the state shall reimburse said town for the relief so furnished to such extent as the governor and council adjudge to have been expended necessarily therefor.

Approved April 9, 1925.

Chapter 182.

An Act Relating to Apportionment of Moneys for Highways.

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

R. S., c. 25, sec. 20; P. L., 1917, c. 258, sec. 4; relating to apportionment of state aid highway money to towns, amended. Section twenty of chapter twenty-five of the revised statutes, as amended by section four of chapter two hundred and fifty-eight of the public laws of nineteen hundred and seventeen, is hereby further amended by striking out the whole of said section and inserting in place thereof the following:

'Sec. 20. Classifications changed and amounts increased. The commission, from the fund for state aid construction provided by this chapter, shall to each town which has conformed to the provisions of sections eighteen and nineteen, for each dollar so appropriated, apportion the following amounts: To each town having a valuation of two hundred thousand dollars, or less, three dollars and fifty cents for each dollar appro-