

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty - Third Legislature

OF THE

STATE OF MAINE

1927

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-third Legislature

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lation of any provision of this section, or be imprisoned not exceeding sixty days, or be subject to both said fine and imprisonment. It shall also be unlawful, under the same penalty, for any person to have in possession at any time any beaver, or part thereof, taken in violation of any provision of this section. It shall also be unlawful, under the same penalty, for any person, firm or corporation, to sell, give away, buy, accept as a gift, offer for transportation or transport any beaver skin or beaver skins unless each skin is marked with an official seal by the commissioner of inland fisheries and game or by an agent duly appointed by said commissioner to mark such skins.'

Approved April 7, 1927.

Chapter 96.

An Act Relating to the Military Law.

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

P. L., 1923, c. 174, sec. 9; relating to purposes and procedure in ordering national guard into service in cases of insurrection and public disaster, amended. Section nine of chapter one hundred seventy-four of the public laws of nineteen hundred twenty-three is hereby amended by adding after the word "forth" in the ninth line the words 'or drafted into federal service' and after the word "call" in the tenth line the words 'or draft' and after the word "called" in the fourteenth line the words 'or drafted' and after the word "organizations" in the fifteenth line the following words: 'and upon completion of such service the members thereof shall assume their original status in the national guard,' so that said section, when amended, shall read as follows:

'Sec. 9. Provisions made applicable to organizations drafted into federal service; on completion of service members to assume original status. In case of insurrection, invasion, tumult, riot, mob, or body of men acting together by force with intent to commit a felony or to offer violence to persons or property, or by force and violence to break and resist the laws of this state, or the United States, or of imminent danger thereof, or in the event of public disaster resulting from flood, conflagration, or tempests, the governor shall have the power to order into the active service of the state any part of the national guard that he may deem proper. And whenever the national guard of this state or a part thereof is called forth or drafted into federal service under the constitution and laws of the United States, the governor shall, unless the order for the call or draft specifies otherwise, order out for service the national guard or such part thereof as may be required; and if the number available be insufficient he shall

order out the unorganized militia or such part as may be necessary. The designation of organizations called or drafted into the service of the United States shall not, during such service, be given to new organizations, and upon completion of such service the members thereof shall assume their original status in the national guard.

In case of a sudden and unexpected tumult, riot, mob or body of men acting together by force with intent to commit felony or to offer violence to persons or property, or by force and violence to break and resist the laws of the state or the United States, or of imminent danger thereof, a justice of the supreme judicial court, in term time or vacation, or the sheriff of a county, may call for aid upon a commanding officer of the national guard or naval militia, and such call shall be in writing. The commanding officer upon whom the call is made shall order out in aid of the civil authorities the military or naval force or any part thereof under his command, and shall make an immediate report of the case to the adjutant general and to his immediate commanding officer. He shall receive only general directions from the civil authority requesting the aid, and shall remain strictly responsible to his military superior for the manner in which the troops shall be used to accomplish the desired end.

In the event of an emergency so imminent as to require immediate action the senior officer of a command may, upon request in writing of the mayor of a city, or the selectmen of a town, order out for the defense or protection of the community the forces under his command, or any part thereof, and immediately report his action and the circumstances of the case to the adjutant general and to his immediate commanding officer.'

Approved April 7, 1927.

Chapter 97.

An Act to Regulate Fishing in Certain Brooks in the Town of Durham, in the County of Androscoggin, and the Towns of Freeport and Pownal, in the County of Cumberland.

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

Sec. 1. Trout fishing in parts of certain brooks prohibited. It shall be unlawful for any person to fish for, take, catch, or kill any trout at any time in any part of the following named brooks or streams: Branch Brook and its tributaries in said Durham, from its source to Harrington Bridge, so called; Newell Brook and its tributaries in said Durham, from its source to the bridge on the highway leading from South Durham to West Durham, known as the Bliss Bridge; that part of Harvey Brook and its tributaries in said Pownal which is above the forks, so called, of