

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Eighty-fourth Legislature

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## CHAP. 92

sustain by reason of any change in the grade of such way; appeal from any decision, order or award of the commission may be had as provided in section thirty-six of said chapter twenty-four. The commission shall apportion such expenses and damages between the state, the town in which the crossing is located, and the corporation owning or operating the railroad which crosses such public way, and shall order twenty-five per cent thereof to be paid by the state, ten per cent thereof to be paid by the town in which such crossing is located, and the remainder thereof shall be paid by the corporation owning or operating the railroad, but the commission may approve agreements made by said corporation or other persons interested, varying the above percentages, provided the amount to be paid by the state shall not exceed the twenty-five per cent herein specified, and the amount to be paid by the town shall not exceed the ten per cent herein specified, unless the town shall otherwise vote. While the use of any way is obstructed in carrying out the foregoing provisions of this section, such temporary way shall be provided as the commission may order; provided, however, that the commission shall not make any order upon any petition filed under the provisions of this section until they are satisfied, by investigation or otherwise, that the financial condition of the corporation owning or operating the railroad in question will enable said corporation to comply with such order, and that the probable benefit to the public will warrant said order and the probable expense resulting therefrom, and that said order can be complied with without exceeding the state appropriation available therefor.'

Approved March 15, 1929.

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## Chapter 92.

An Act Relating to the Sale and Exchange of Town Forests and the Location of Public Ways Therein.

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

P. L., 1927, c. 33, sec. 6; relating to establishment of town forests, amended. Section six of chapter thirty-three of the public laws of nineteen hundred and twenty-seven is hereby amended by striking out the whole of said section and by substituting in place thereof the following:

'Sec. 6. Sale or exchange may be authorized by vote of city council or inhabitants of town; must not be lands in trust. Whenever it shall be deemed of advantage to such city or town to sell or exchange such forest lands or any part thereof, or to locate thereon any public highway or foot-path, such city, by vote of its city council, and such town by vote of its inhabitants at town meeting, after due notice given, may authorize such sale or exchange or the location of such way or path, and may execute any

conveyances or take any other steps necessary to carry the same into effect. Provided, however, that the power of sale or exchange herein granted shall not apply to lands held in trust by such city or town unless in accordance with the terms of such trust.'

Approved March 15, 1929.

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## Chapter 93.

An Act Relating to a Tax Upon Gasoline.

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

**Sec. 1. P. L., 1923, c. 224, sec. 1; relating to a tax upon gasoline, amended.** Section one of chapter two hundred and twenty-four of the public laws of nineteen hundred and twenty-three is hereby amended by adding at the end of said section, the following: 'and also any person, association of persons, firm or corporation who purchases in tank car lots either within or without the state, internal combustion engine fuels, as herein defined, for the purpose of resale within the state,' so that said section, as amended, shall read as follows:

**'Sec. 1. Terms defined.** The terms used in this act shall be construed as follows: "Internal combustion engine" shall mean any engine operated by explosion or quick burning therein of gasoline, benzol, or other product except kerosene. "Internal combustion engine fuel" shall mean motor fuel commonly called and known as gasoline, benzol, or other product except kerosene and crude oil to be used in the operation of an internal combustion engine. "Distributor" shall mean any person, association of persons, firm or corporation, wherever resident or located, who imports or causes to be imported for sale or for his or its own use (with the exception hereinafter set forth) any internal combustion engine fuels as herein defined for use in this state after it reaches this state; and also any person, association of persons, firm or corporation who produces, refines, manufactures or compounds internal combustion engine fuels as herein defined within the state; and also any person, association of persons, firm or corporation who purchases in tank car lots either within or without the state internal combustion engine fuels, as herein defined, for the purpose of resale within the state.'

**Sec. 2. P. L., 1923, c. 224, sec. 8; P. L., 1925, c. 212; P. L., 1927, c. 251; relating to application of tax collected, further amended.** Section eight of said chapter as amended by chapter two hundred and twelve of the public laws of nineteen hundred and twenty-five as amended by chapter two hundred and fifty-one of the public laws of nineteen hundred and twenty-seven, is hereby further amended by adding in the third line of the