

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth and Eighty-seventh
Legislatures

OF THE

STATE OF MAINE

From April 1, 1933, to April 6, 1935

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-Seventh Legislature

1935

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pal year, for temporary loans to be paid during the year in which they were made out of the money raised during such current year by taxes, provided that the vote authorizing such notes states that they are to be paid out of money so raised.

If a city or town votes to issue bonds, notes, or certificates of indebtedness in accordance with the provisions of law, the officers authorized to issue the same may, in the name of such city or town, make a temporary loan for a period of not more than 1 year in anticipation of the money to be derived from the sale of such bonds, notes, or certificates of indebtedness and may issue notes therefor; but the time within which such securities shall become due and payable shall not be extended by reason of the making of such temporary loan beyond the time fixed in the vote authorizing the issue of such bonds, notes, or certificates of indebtedness; and notes issued under the provisions of this section for a shorter period than 1 year may be refunded by the issue of other notes maturing within the required period; provided, however, that the period from the date of issue of the original loan and the date of maturity of the refunding loan shall be not more than 1 year; and provided, further, that no notes shall be refunded under the provisions of this section except under the authority of such votes as is required for the original borrowing.'

Approved April 5, 1935.

Chapter 152.

AN ACT Relating to Indians.

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

P. L., 1933, c. 1, additional. Chapter 1 of the public laws of 1933 is hereby amended by adding thereto a new section to be numbered section 294-A and to read as follows:

'Sec. 294-A. Penalty for posing as Indian. Whoever, not a member Indian of either of said tribes, represents himself to be such Indian in the vending of goods and wares, shall be punished by a fine of not more than \$50.'

Approved April 5, 1935.

Chapter 153.

AN ACT Relative to Mines and Minerals.

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

R. S., c. 49, additional. Chapter 49 of the revised statutes is hereby amended by adding thereto the following sections:

CHAP. 153

'Sec. 54. Citizens may prospect for minerals. Any resident of Maine, who is a citizen of the United States, who has secured a license to prospect for minerals may enter upon any public or reserved lands in any unorganized township in this state and prospect thereon for gold, silver or other valuable minerals or metals, being responsible to the state for all damages done thereon, and shall have the right to go upon and across any privately owned lands when it is necessary to get to such lands.'

'Sec. 55. License; fee. The secretary of state shall provide for the issuance of licenses as mining prospectors, to persons applying therefor; all such licenses shall expire on December 31 of each year. The license fee shall be \$5 which fee shall be paid to the secretary of state.'

'Sec. 56. Vein mining claim may be located. Any person who has secured a license as aforesaid who discovers a vein or lode may locate a lode mining claim thereon, by defining the boundaries of the claim which shall not be more than 1500 feet in length and not more than 600 feet in width, and by erecting at the point of such discovery a location monument showing the extent of the location, the name of the claim, the name of the locator or locators and the date of the location.'

'Sec. 57. Claim to be recorded. Within 90 days of the date of posting the location notice upon the claim the locator shall record his claim in the registry of deeds in the county in which the claim is situated by location certificate which must contain: 1st, the name of the lode or vein; 2nd, the name of the locator or locators; 3rd, the date of the location and such description of the location of said claim, with reference to some natural object or permanent monument as will identify the claim; 4th, the number of linear feet claimed in length along the course of the vein each way from the point of discovery and the width on each side of the vein, and the general course of the lode or vein as near as may be; 5th, the location and description of each corner, with the markings thereon.'

'Sec. 58. Location of vein claim. The location or record of any vein or lode claim shall be construed to include all surface ground within the surface lines thereof, and all lodes and ledges throughout their entire depth, the top or apex of which lies inside of such lines extended downward vertically with all parts of such lodes or veins as continue to dip beyond the side lines of the claim, but shall not include any portion of such lodes, veins or ledges beyond the end lines of the claim, or beyond the side lines in any other manner than by the dip of the lode.'

'Sec. 59. Right of possession. The locator of a lode mining claim, to obtain the right of possession must sink a discovery shaft upon the claim located 4x6 feet to depth of at least 10 feet from the lowest part of the rim of such shaft at the surface or depth, if necessary to show by such work a lode deposit of mineral in place.'

'Sec. 60. Number of claims, regulated. No person shall locate more than 2 claims on any 1 unorganized township in 1 year.'

'Sec. 61. Maintenance of right of possession. The right of possession to a valid mining claim is maintained by the expenditure of at least \$100 annually in labor or improvements of a mining nature on the claim.'

'Sec. 62. Right of way; owner reimbursed. Any person who has located a mining claim as provided in sections 54 to 61 inclusive, of this chapter shall have the right of way across any lands to and from said location, and the right to take from said public or reserved lands all wood and timber necessary to be used in the operation of the mine by paying to the state or the owner thereof a fair and just price for the same, and shall also be obligated to pay to the state 5% of the net profits derived from the operation of the mine, which shall be used the same as are the proceeds derived from lumber and grass sold from the public or reserved lands. If the parties cannot agree on the damage the award of damage shall be determined by the county commissioners of the county in which the mine is located.

Where required for or in connection with the usual proper working of the mine, the locator thereof may obtain and have vested in him the right to open, construct, put in, maintain and use ditches, tunnels, pipes, conduits, flumes and other works through, over or upon said land for drainage and passage of water, together with right to construct dams in connection with the working of his mine to bring thereto water necessary or convenient for its operation.'

Approved April 5, 1935.

Chapter 154.

AN ACT Relating to the Sale of Prophylactic Rubber Goods for the Prevention of Venereal Diseases.

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

Sec. 1. Prevention of disease. No sanitary or prophylactic rubber or other articles for the prevention of venereal diseases shall be sold or otherwise disposed of in the state of Maine without a license therefor issued by the state bureau of health.

Sec. 2. Licenses. There shall be 2 kinds of licenses issued by the state bureau of health, to wit: (a) wholesale license, (b) retail license.

Sec. 3. Wholesale licenses. Wholesale license shall be issued only to wholesale druggists, jobbers or manufacturers and no licensed wholesaler, jobber or manufacturer shall sell any rubber or other articles specified in this act, to anyone who is not a duly licensed retailer as herein provided.