

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
with the Revisor of Statutes in accordance with the
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-Seventh Legislature

1935

[supplied from page 201 of volume]

'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.

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Sec. 4. Retail licenses. Retail license shall be issued only to a retail drug store regularly registered and licensed by the state of Maine.

Sec. 5. Application for license. A license provided by this act shall be issued by the state bureau of health on written application and payment of the license fee therefor for 1 year by an applicant entitled and qualified hereunder to receive the license asked.

Sec. 6. Fees. The annual fees for licenses hereunder shall be: wholesale license \$15; retail license \$2. All fees received for licenses under this section shall be placed in a separate fund and expended for inspection and enforcement of this act.

Sec. 7. Term of license. All licenses issued hereunder shall begin on the 1st day of July in each year and annual fee therefor shall be fully paid before issuance of any license; except when the application for license, accompanied by 50% of the annual license fee shall be made by a qualified applicant hereunder between January 1st and July 1st of any year, the state bureau of health shall issue to such applicant a license which shall cover the period from the date of application to the next July 1st.

Sec. 8. Information to be furnished. In addition to such other information as the state bureau of health may determine shall be furnished in any application for license under this act, the following information shall be given under oath, all of which shall be deemed material: (a) The name of the applicant, and if there be more than one and they be partners, the partnership name, age and residence of the several persons so applying, and the facts of his or her citizenship, or if said applicant be a corporation, the names of its officers and board of directors and the state under the laws of which it is organized; (b) The business location, street and number, where such business is to be carried on.

Sec. 9. Licenses not transferable; exception. A license, issued to any applicant pursuant to this act for certain premises shall not be transferable except on written consent of the state bureau of health, and each license issued shall be available only to the person or persons, or corporation or firm therein specified and for the premises licensed and for no other.

Sec. 10. License for separate locations. Any person, firm or corporation eligible for license hereunder and who shall operate his business in more than one location shall secure a separate license for each location where the business specified herein shall be conducted.

Sec. 11. License to be displayed. Every holder of a license hereunder shall at all times keep same on display visible for inspection within the place of business for which same is issued.

Sec. 12. Penalty. Any person, or persons, firm or corporation, or member of firm or officer, director or employee of a corporation, who violates any provision of this act, shall upon conviction be punished by a fine of not more than \$100 or by imprisonment for not less than 30 days nor more than 90 days.

Sec. 13. Disposition of fines. When any fines shall be collected from anyone guilty of violating this act, $\frac{1}{2}$ of any sum collected as such fine shall be deposited with the state bureau of health and added to the fund specified in section 6 to be expended for expenses of inspection under and enforcement of this act.

Approved April 5, 1935.

Chapter 155.

AN ACT Relating to Payment of Wages.

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

R. S., c. 54, additional. Chapter 54 of the revised statutes is hereby amended by adding thereto a new section to be numbered 40-A and to read as follows:

'Sec. 40-A. Unfair wage agreements forbidden; penalty. No person, firm or corporation shall require or permit any person as a condition of securing or retaining employment in any factory, work shop, manufacturing, mechanical or mercantile establishment to work without monetary compensation or when having an agreement, verbal, written or implied that a part of such compensation should be returned to the person, firm or corporation for any reason other than for the payment of a loan, debt or advance made to the person, or for the payment of any merchandise purchased from the employer or for sick or accident benefits, or life or group insurance premiums, excluding compensation insurance, which an employee has agreed to pay, or for rent, light or water expense of a company owned house or building.

Any person, firm or corporation violating any of the above provisions shall be punished by a fine of not more than \$50 for each such offense.'

Approved April 5, 1935.