

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth  
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

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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-ninth Legislature

1939

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or lots, or lot or lots and buildings thereon to be used by the state for the purpose of constructing an armory, the armory commission is authorized to accept such gift provided that sufficient funds are available to carry out the project.'

Approved March 30, 1939.

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## Chapter 140

### AN ACT Extending the Exemptions from the Common Carrier Law.

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

Sec. 1. P. L., 1935, c. 146, § 10, amended. That part numbered (3) of paragraph (A) of section 10 of chapter 146 of the public laws of 1935, as amended by section 1 of chapter 208 of the public laws of 1937, is hereby further amended to read as follows:

'(3) while engaged exclusively in the ~~delivery~~ transportation of the United States mail; (4) while engaged exclusively in the transportation of fresh fruits and fresh vegetables from farms to canneries or quick freezing plants, place of storage or place of shipment, or the products of vining and cutting plants to canneries or quick freezing plants, during the harvesting, ~~canning or packing~~ season; (5) while engaged exclusively in the hauling of wood, pulpwood, logs or sawed lumber from the wood lot or forest area where cut or sawed to points within 40 miles thereof, or while hauling, within said distance, horses, crew, equipment and supplies to or from such wood lot or forest area; and (6) while engaged exclusively in the transportation of livestock for exhibition purposes, excluding race horses, to and from agricultural fairs and exhibits. Nothing in this act contained shall apply to persons, firms or corporations operating motor vehicles carrying property of which they are the actual and bona fide owners.'

Sec. 2. Validating clause. If any sentence, section, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the provisions of this act.

Approved March 30, 1939.

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## Chapter 141

### AN ACT Relating to the Penobscot Tribe of Indians.

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

P. L., 1933, c. 1, § 251, amended. Section 251 of chapter 1 of the public laws of 1933 is hereby amended to read as follows:

## CHAP. 142

'Sec. 251. Committee may adopt person into tribe. The tribal committee at any regularly held meeting may, by  $\frac{3}{4}$  vote of its total membership, adopt into said tribe any person who is in whole or ~~in part~~ ~~of~~ to the extent of at least  $\frac{1}{4}$  part Indian blood, and who is the husband, wife or child of a member of said tribe, and who has had his or her residence for at least 1 year next preceding such adoption upon any reservation of said tribe; ~~and~~ but the decision of said committee upon such residence and Indian descent and such adoption shall be not be ~~conclusive~~ effective, until the same has been ratified and approved in writing by the Indian Agent. The adoption of a child by any member of the tribe under ordinary legal process shall not of itself constitute such child a member of said tribe; but the power of adoption into the tribe shall in all cases rest with the aforesaid tribal committee.'

Approved March 30, 1939.

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## Chapter 142

### AN ACT Relating to Licenses for Dispensing Victuals.

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

Sec. 1. R. S., c. 36, § 4, amended. Section 4 of chapter 36 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 4. License fee and record. Every person licensed shall pay to the treasurer for the use of the town a fee of \$1, and such additional amount as the town may by ordinance or by-law prescribe. Such ordinance or by-law may, for the purpose of fixing such fees, establish classifications of victualers according to the size, nature or other condition of business conducted and may prescribe for each of such classifications an appropriate fee which shall not in any case exceed the sum of \$10 in towns of less than 10,000 population or the sum of \$20 in towns over 10,000 in population, excepting any town wherein a larger fee is now permitted by law.'

Sec. 2. Interpretation. Nothing contained in the foregoing section shall be deemed to increase or otherwise affect the existing requirements for obtaining any such license except with relation to the amount of the fee which may be required therefor.

Approved March 30, 1939.