

# MAINE STATE LEGISLATURE

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CHAPTER 105  
RELIGIOUS ASSEMBLIES, HOLY DAYS  
AND HOLIDAYS

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SUBCHAPTER I

HOLY DAYS

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**§ 3201. Definition of Lord's Day**

The Lord's Day includes the time between 12 o'clock on Saturday night and 12 o'clock on Sunday night.

R.S.1954, c. 134, § 35.

**§ 3202. Computation by standard time**

To determine when the Lord's Day begins and ends under section 3204 as it applies to public dancing, diversion, show or entertainment, the hours shall be United States Eastern Standard time.

1963, c. 250.

**§ 3203. Sales of motor vehicles and mobile homes prohibited**

Any person who shall carry on or engage in the business of buying, selling, exchanging, dealing or trading in new or used

motor vehicles or mobile homes; or who shall open any place of business or lot wherein he attempts to or does engage in the business of buying, selling, exchanging, dealing or trading in new or used motor vehicles or mobile homes; or who does buy, sell, exchange, deal or trade in new or used motor vehicles or mobile homes as a business on the first day of the week, commonly known and designated as Sunday, is a disorderly person. Such a disorderly person upon conviction for the first offense shall be punished by a fine of not more than \$100 or by imprisonment for not more than 10 days, or by both; and for the 2nd offense shall be punished by a fine of not more than \$500 or by imprisonment for not more than 30 days, or by both; and for the 3rd or each subsequent offense shall be punished by a fine of not more than \$750 or by imprisonment for not more than 6 months, or by both. If the person is the holder of dealer or transporter registration plates under Title 29, sections 331 or 332, such person shall be subject to the suspension or revocation of said plates, as provided for in Title 29, section 334, for the violation of this section.

1959, c. 302, § 2; 1961, c. 362, § 3; 1963, c. 296.

#### § 3204. Business, traveling or recreation on Sunday

No person, firm or corporation shall, on the Lord's Day, Memorial Day, July 4th, Labor Day, November 11th, Christmas Day and Thanksgiving Day as proclaimed by the Governor, keep open a place of business to the public except for works of necessity, emergency or charity.

This section shall not apply to: The operation or maintenance of common, contract and private carriers; taxi cabs; airplanes; newspapers; radio and television stations; hotels, motels, rooming houses, tourist and trailer camps; restaurants; garages and motor vehicle service stations; retail monument dealers; automatic laundries; drug stores; greenhouses; seasonal stands engaged in sale of farm produce, dairy products, sea food or Christmas trees; public utilities; industries normally kept in continuous operation, including but not limited to pulp and paper plants and textile plants; processing plants handling agricultural produce or products of the sea; ship chandleries; marinas; establishments primarily selling boats, boating equipment, sporting equipment, souvenirs and novelties; motion picture theatres; sports and athletic events; musical concerts; religious, educational, scientific or philosophical lectures; scenic, historic, recreational and amusement facilities; real estate bro-

kers and real estate salesmen; provided that this section shall not exempt the businesses or facilities specified in sections 3205, 3206 and 3207 from closing in any municipality until the requirements of those sections have been met; stores wherein no more than 5 persons, including the proprietor, are employed in the usual and regular conduct of business; stores which have no more than 5,000 square feet of interior customer selling space, excluding back room storage, office and processing space.

For the purpose of determining qualification, a "store" shall be deemed to be any operation conducted within one building advertising as, and representing itself to the public to be, one business enterprise regardless of internal departmentalization. All sub-leased departments of any store shall for the purpose of this section be deemed to be operated by the store in which they are located. Contiguous stores owned by the same proprietor or operated by the same management shall be deemed to be a single store for the purpose of this statute.

Any person, firm or corporation found guilty of violating any of the provisions of this section shall be punished by a fine of not more than \$100 or by imprisonment for 30 days, or by both, for the first offense; and by a fine of \$500 or by imprisonment for 60 days, or by both, for the 2nd offense occurring within one year following the first conviction. Any offense subsequent to the 2nd offense and occurring within 2 years following the 2nd conviction shall be punished by a fine of not more than \$1,000 or by imprisonment for 90 days, or by both. No complaint charging violation of this section shall issue later than 5 days after its alleged commission.

Each separate sale, trade or exchange of property or offer thereof, in violation of this section, and each Lord's Day or one of the aforementioned holidays a person, firm or corporation engages in or employs others to engage in the sale, trade or exchange of property in violation of the law constitutes a separate offense.

In addition to any criminal penalties provided in this section, the Attorney General, county attorney or any resident of a municipality in which a violation is claimed to have occurred may file a complaint with the Superior Court to enjoin any violation of this section. The Superior Court shall have original jurisdiction of such complaints and authority to enjoin such violations.

This section shall not apply to isolated or occasional sales by persons not engaged in the sale, transfer or exchange of property as a business.

R.S.1954, c. 134, § 38; 1961, c. 362, § 1; 1963, c. 370, § 1.

### § 3205. Local option; sports

This section may be referred to in proceedings of city governments and in warrants for town meetings as "The Sunday Amateur Sports Law."

In any municipality that shall so vote, as provided, it shall be lawful to engage in as a participant, manager or official, or to attend as a spectator any outdoor recreational or competitive amateur sport or game, except boxing, horseracing, air circuses or wrestling between the hours of 1 p. m. and 7 p. m. on Sunday.

This section shall not be effective in any city until the municipal officers of a city so vote or in any town until an article in a town warrant so providing has been adopted at any annual or special town meeting. When a municipality has voted in favor of adopting this section, said section shall be effective until repealed in the same manner.

Municipalities adopting the provisions hereof may designate certain areas or places in said municipalities in which said outdoor amateur games and sports may be engaged in, and may pass regulations concerning said areas and places to the end that persons attending places of public worship may not be disturbed therein. No regulations shall be passed which shall prohibit the receiving of remuneration by any proprietor or owner of such areas or places, or the taking of collections at any such amateur sport or game.

The municipal officers of cities shall take action upon the acceptance hereof upon receipt of a petition therefor signed by at least 100 registered voters in said city and shall hold such public hearings thereon as they may deem necessary. The selectmen or other municipal officers of towns shall insert an article in the warrant for the next annual town meeting for the acceptance of the provisions of this section after receipt of a petition therefor signed by at least 25 registered voters of such town.

Any person violating any of the provisions of this section or any regulation of a municipality made in connection therewith shall upon conviction be punished by a fine of \$5 and costs of prosecution.

R.S.1954, c. 134, § 39.



**§ 3206. —Bowling**

In any municipality that shall vote as provided, it shall be lawful to operate bowling alleys or to bowl therein on Sunday between the hours of 2 p. m. and 11 p. m.

This section shall not be effective in any city until the municipal officers of a city so vote or in any town until an article in a town warrant so providing has been adopted at any annual or special town meeting. When a municipality has voted in favor of adopting this section, said section shall be effective until repealed in the same manner as provided.

The municipal officers of cities shall take action upon the acceptance hereof upon receipt of a petition therefor signed by at least 100 registered voters in said city and shall hold such public hearings thereon as they may deem necessary. The selectmen or other municipal officers of towns shall insert an article in the warrant for the next annual town meeting for the acceptance of the provisions of this section after receipt of a petition therefor signed by at least 25 registered voters of such town.

R.S.1954, c. 134, § 40.

**§ 3207. —Moving pictures**

In any municipality that shall vote as provided, it shall be lawful for any moving picture theater to have an exhibition of moving pictures on Sunday between the hours of 3 p. m. and 11:30 p. m. This section shall not be effective in any city until a majority of the legal voters, present and voting, at any regular election so vote. The question in appropriate terms may be submitted to the voters at any such election by the municipal officers thereof and shall by them be so submitted when thereto requested in writing by 100 legal voters therein at least 21 days before such regular election; nor shall it be effective in any town until an article in such town warrant so providing shall have been adopted at an annual town meeting. When a municipality has voted in favor of adopting this section, said section shall remain in effect therein until repealed in the same manner as provided for their adoption. It shall be unlawful for any person, firm or corporation operating any theatrical or motion picture show on Sunday to require or permit any employee of said person, firm or corporation to work or be on duty more than 6 days in any one week.

R.S.1954, c. 134, § 41.

**§ 3208. Hotels and restaurants; gambling, diversion or business forbidden**

If an innholder or victualer, on the Lord's Day, suffers any persons, except travelers, strangers or lodgers, to abide in his house, yard or field, drinking or spending their time idly at play, or doing any secular business except works of charity or necessity, he shall be punished by a fine of not more than \$4 for each person thus suffered to abide; and if after conviction he is again guilty, by a fine of not more than \$10 for each offense; and upon a 3rd conviction, he shall be incapable of holding any license. Every person so abiding shall be punished by a fine of not more than \$4 for each offense.

R.S.1954, c. 134, § 43.

**§ 3209. Saturday as holy day**

No person conscientiously believing that the 7th day of the week ought to be observed as the Sabbath, and actually refraining from secular business and labor on that day, is liable to said penalties for doing such business or labor on the first day of the week, if he does not disturb other persons.

R.S.1954, c. 134, § 44.

SUBCHAPTER II

HOLIDAYS

Sec.

3241. Memorial Day restrictions.

**§ 3241. Memorial Day restrictions**

Whoever on Memorial Day before 3:30 o'clock in the afternoon engages in any public outdoor game or sport where an admission is charged or collection is taken shall be punished by a fine of not more than \$25 or by imprisonment for not more than 10 days, or by both.

R.S.1954, c. 134, § 42; 1963, c. 402, § 214.

## SUBCHAPTER III

## RELIGIOUS ASSEMBLIES

Sec.

3281. Rude behavior in places of worship.

3282. Special police for camp meetings.

**§ 3281. Rude behavior in places of worship**

Whoever, on the Lord's Day or at any other time, behaves rudely or indecently within the walls of any house of public worship; willfully interrupts or disturbs any assembly for religious worship within the place of such assembly or out of it; sells or exposes for sale within one mile thereof and during the time of their meeting, refreshments or merchandise, except in his usual course and place of business; exhibits any show or play; engages or aids in any horse race, gambling or other sport to the disturbance of such assembly; or, coming within their neighborhood, refuses, on request, either immediately and peaceably to retire beyond their hearing or to conform to their established regulations, shall be punished by a fine of not more than \$10 and by imprisonment for not more than 30 days.

R.S.1954, c. 134, § 36.

**§ 3282. Special police for camp meetings**

On application of the presiding elder, officers or preachers in charge, or tent masters of a religious or temperance camp meeting in any town, the municipal officers thereof or a majority of them shall in writing appoint one or more police officers to preserve the peace during such meeting, who may arrest any violator of section 3281, detain him until a warrant can be issued and execute such warrant when directed to them. The presiding officer or committee of arrangements of such religious assembly or meeting may appoint some suitable persons to keep boarders and sell refreshments at such meetings, and to sell tickets for admission to such meetings, who shall conform therein to such regulations as the officers appointing them prescribe. Every justice of the peace, sheriff, deputy sheriff, constable and grand juror, present at any such religious assembly disturbed as aforesaid, shall arrest or cause to be arrested every such offender and detain him until the close of such assembly or until he can be taken before a judge. All persons present at such assembly shall,

on request, assist said officers in the execution of their duty, under the same penalties for neglect or refusal as are provided for neglecting or refusing to aid officers in other cases.

R.S.1954, c. 134, § 37.

#### SUBCHAPTER IV

#### ENFORCEMENT

Sec.

3301. Prosecutions.

#### **§ 3301. Prosecutions**

Any person may prosecute for all offenses described in sections 3205, 3208 and 3281 at any time within 6 months after the commission thereof.

R.S.1954, c. 134, § 45; 1963, c. 414, § 140.