

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Maine
REVISED STATUTES
1964

*Prepared Under the Supervision
of the
Committee on Revision of Statutes*

Being the Tenth Revision of the
Revised Statutes of the State
of Maine, 1964

Volume 5
Titles 26 to 32



Boston, Mass.
Boston Law Book Co.

Orford, N. H.
Equity Publishing Corporation

St. Paul, Minn.
West Publishing Co.

Text of Revised Statutes

Copyright © 1964

by

State of Maine

This is a historical version of the Maine Revised Statutes that may not reflect the current state of the law. For the most current version, go to:

<http://legislature.maine.gov/legis/statutes/>

CHAPTER 215

REGULATIONS, LICENSES AND PERMITS

Subch.	Sec.
I. Automobile Junk Yards	2451
II. Closing-Out Sales	2501
III. Electrical Installations	2551
IV. Employment Agencies	2601
V. Innkeepers, Victualers and Lodginghouses	2701
VI. Junk Dealers	3051
VII. Lunch Wagons	3101
VIII. Pawnbrokers	3151
IX. Steam Engineers and Firemen	3201

SUBCHAPTER I

AUTOMOBILE JUNK YARDS

- Sec.
2451. Purpose.
2452. Establishment and maintenance.
2453. Hearings.
2454. Limitations on permits for initial establishment.
2455. Proximity to state highway.
2456. Limitations on permits for existing establishments.
2457. Provisions regarding nuisances unaffected.
2458. Penalties.

§ 2451. Purpose

Automobile junk yards or so-called "auto graveyards" have been steadily expanding and frequently encroach upon highways. These graveyards have become a nuisance and a menace to safe travel on public ways, often detracting the attention of drivers of motor vehicles because it appears cars are parked on the highway or that an accident has occurred. It is declared that such automobile graveyards are a nuisance and are properly subject to regulation and control.

R.S.1954, c. 100, § 137; 1963, c. 178, § 1.

§ 2452. Establishment and maintenance

No automobile junk yard or "automobile graveyard" so called, where 3 or more unserviceable, discarded, worn-out or junked automobiles or bodies or engines thereof are gathered together, shall be established, operated or maintained, or permitted by the owner of any land to be established, operated or maintained, without first obtaining a nontransferable permit to do so from the municipal officers of the municipality wherein said yard is to be established, operated or maintained, or from the county commissioners of the county in which said yard is to be established, operated or maintained in an unorganized township, which permit shall be valid only until the first day of the year following.

R.S.1954, c. 100, § 138; 1963, c. 178, § 2.

§ 2453. Hearings

Municipal officers or county commissioners as provided for in section 2452 shall, before granting a permit to establish, operate or maintain such automobile junk yard, hold a public hearing, notice of which shall be posted at least 7 days prior to and not more than 14 days prior to said hearing, in not less than 2 public places in said municipality or unorganized territory, and in one newspaper of general circulation in said municipality or unorganized territory wherein such yard is to be established, operated or maintained. Before the municipal authorities or county commissioners, as provided for in section 2452, shall post or publish notice of a hearing, they shall collect from the applicant for said permit a fee of \$10 plus the costs of posting and publishing said notice.

R.S.1954, c. 100, § 139; 1963, c. 178, § 3.

§ 2454. Limitations on permits for initial establishment

No permit shall be granted for such automobile junk yard to be established within an unreasonable distance, and in no case less than 600 feet, from any state or state aid highway now or hereafter designated as such highway by the State Highway Commission, or county road, if within view from said highway, except upon condition that the area to be occupied by said automobiles or parts thereof be kept entirely screened to ordinary view by those passing upon said highway, by natural objects or well constructed and properly maintained fences at least 6 feet high, acceptable to said municipal officers or county commission-

ers and so specified in said permit. No permit shall be granted if said area is within a radius of 300 feet of any public park, public playground, public bathing beach, school, church or cemetery, and which is within ordinary view thereof. This section and section 2455 shall not be mandatory when such junk yard is located in the built-up portions of any municipality. The municipal officers may in their discretion insert more stringent restrictions, limitations and conditions in a permit to establish an automobile junk yard adjacent to any public way, road or street in the built-up portion of the municipality. The municipal officers may stipulate reasonable conditions to be attached to the permit covering operation, use and other matters. Violation of any of the conditions, restrictions or limitations shall be cause for revoking said permit.

R.S.1954, c. 100, § 140; 1963, c. 178, § 4.

§ 2455. Proximity to state highway

Notwithstanding section 2453, no permit shall be granted for such automobile junk yard to be established within 100 feet of any state or state aid highway, or county road, except upon compliance with section 2454 and upon payment of an annual fee of \$500 to the municipality, or to the county treasurer for the use of the county in the case of unorganized territory, within which limits the automobile junk yard is to be established, operated or maintained.

R.S.1954, c. 100, § 141; 1963, c. 178, § 5.

§ 2456. Limitations on permits for existing establishments

No permit shall be granted for such automobile junk yard established prior to January 1, 1943 and on said date maintained or operated, unless said yard shall conform to section 2454.

R.S.1954, c. 100, § 142.

§ 2457. Provisions regarding nuisances unaffected

Nothing contained in this subchapter shall be construed as in any way repealing, invalidating or abrogating Title 17, section 2802, or limiting the right of prosecutions thereunder, and violation of this subchapter in the establishment, maintenance or operation of any such automobile junk yard shall constitute prima facie evidence that said yard is a nuisance as therein defined.

R.S.1954, c. 100, § 144.

§ 2458. Penalties

Whoever violates any provision of this subchapter shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$100 nor more than \$500, or by imprisonment for not more than 90 days, or by both, and it shall be the duty of the State Police as well as local and county officers of the law to enforce this subchapter. Each day that the violation continues shall constitute a separate offense.

R.S.1954, c. 100, § 143; 1963, c. 178, § 6.

SUBCHAPTER II

CLOSING-OUT SALES

Sec.

- 2501. License; requirements.
- 2502. Powers of municipal officers to revoke license.
- 2503. Limitations.
- 2504. Violations and penalties.

§ 2501. License requirements

No person or persons shall offer for sale a stock of goods, wares or merchandise under the designation of "closing-out sale," "going out of business sale," "discontinuance of business sale," "entire stock must go," "must sell to the bare walls," or other designation which states, directly or by implication, an intent by such person or persons to dispose of the entire stock of goods with a view to permanently terminating further business after such disposal is complete, unless such person or persons shall have first complied with the following requirements:

1. Inventory; license. That such person or persons shall, before the beginning of such disposal sale, obtain, from the municipal officers of the city or town in which such sale shall be conducted, a license to conduct such sale. To obtain such license such person or persons shall make application therefor under oath and shall pay to the said municipal officers a fee of \$25 and shall file with said municipal officers, in writing and under oath, a complete inventory of all items to be included in such sale. Such license shall be valid and effective for a period of 60 days from date of issuance, unless revoked as provided, and the validity of such license may be extended for a period of 60 additional days if the licensee shall furnish to the said municipal officers an

affidavit to the effect that all goods, wares or merchandise listed in the inventory have not been disposed of within the original 60-day period.

1963, c. 225, § 1.

2. No additional merchandise. That such person or persons shall affirm, in writing and under oath, to the said municipal officers that no merchandise shall be included in the stock offered for sale unless said merchandise shall have been in or at the place of business wherein or whereat such sale is to be conducted at the time of the opening of the sale, but if such person or persons shall have been in the same business for which said sale is being conducted for less than 2 years of continuous operation in said community, such person or persons shall affirm, in writing and under oath as aforesaid, that none of said merchandise was purchased prior to the time of the opening of said sale for the purpose of selling and disposing of the same at said sale, and any unusual purchases and additions to the stock of such goods, wares or merchandise made within 60 days prior to the filing of the application for said license shall be prima facie evidence that such purchases and additions were made in contemplation of such sale.

1963, c. 225, § 1.

3. License issued. Upon compliance with the requirements of this section, the municipal officers shall issue the license forthwith. The municipal officers shall preserve all applications for license and other papers filed in connection therewith as a permanent record in their office, and shall endorse thereon the dates of filing, and the granting or denial of said license, and shall make an abstract of any other proceedings taken in connection therewith.

1963, c. 225, § 1.

4. False statements. Any person who willfully makes a false statement in the application or any other papers required to be filed under oath shall, upon conviction, be deemed guilty of perjury.

1963, c. 225, § 1.

5. Continuation of business. After the termination date of said sale and any extension thereof, granted as provided, the person or persons to whom the license was granted shall not continue the business under the same or a different name, at the

same location or elsewhere in the same municipality, contrary to the designation of such sale. (1963, c. 225, § 1.)

1955, c. 207, § 1; 1963, c. 225, § 1.

§ 2502. Powers of municipal officers to revoke license

The municipal officers shall revoke any license issued in accordance with these regulations if the licensee shall be convicted of violating any of the provisions of section 2501, and the municipal officers shall have the right to refuse to issue another license to any applicant who has, prior to application therefor, been convicted of violating any of such provisions. If any person convicted of any violation of section 2501 shall appeal from the decision or sentence of the trial court, his license issued in accordance with these regulations shall be suspended during the time his appeal is pending in the appellate court.

1955, c. 207, § 1.

§ 2503. Limitations

The provisions of this subchapter shall not apply to liquidation sales by public auction of not more than 3 days duration conducted by a licensed auctioneer, or sales conducted or made by sheriffs, deputy sheriffs, constables, collectors of taxes, executors, administrators, guardians, conservators, receivers, assignees under voluntary assignments for the benefit of creditors or insurers, or by any other person required by law to sell personal property.

1955, c. 207, § 1.

§ 2504. Violations and penalties

Any licensee under the conditions of section 2501, who shall in any way fail to comply with those conditions, or any person or persons who shall conduct such a disposal sale without first having obtained such license, shall be punished by a fine of not more than \$100 or by imprisonment for not more than 30 days, or by both, and each day on which a sale is conducted in violation of any of these provisions shall constitute a separate offense. In addition to the penalties set forth, the Superior Court shall have jurisdiction, upon the complaint of any person, to enjoin any sale, or other acts, being performed in violation of section 2501.

1955, c. 207, § 1; 1963, c. 225, § 2.

SUBCHAPTER III

ELECTRICAL INSTALLATIONS

Sec.

- 2551. Applicability of provisions.
- 2552. Effect on bylaws or ordinances.
- 2553. Standards; installation.
- 2554. —Equipment.
- 2555. Local inspectors.
- 2556. Right of entry; notice of defect; emergencies.
- 2557. Permits.
- 2558. Fees.
- 2559. Inspection and certificates of approval.
- 2560. Penalties.

§ 2551. Applicability of provisions

This subchapter shall apply to all installations of electrical conductors, fittings, devices and fixtures, hereinafter referred to as "electrical equipment," made after August 6, 1949, within or on public and private buildings and premises, with the following general exceptions which are applicable to all provisions of this subchapter:

1. Under jurisdiction of certain commissions. Any person, firm or corporation under jurisdiction of the Public Utilities Commission of this State or of the Federal Communications Commission;

2. Utility corporations. The electrical work and equipment employed in connection with the construction, installation, operation, repair or maintenance of any utility by a utility corporation in rendering its authorized service, or in any way incidental thereto;

3. Industrial or manufacturing plants. Any electrical equipment and work including construction, installation, operation, maintenance and repair in or about industrial or manufacturing plants;

4. Other property of industrial or manufacturing plants. Any electrical equipment and work, including construction, installation, operation, maintenance and repair in, on or about other properties, equipment or buildings, residential or of any other kind, owned or controlled by the operators of industrial or

manufacturing plants, provided such work is done under the supervision of an electrical engineer in the employ of said operator;

5. Mines, transportation and sound equipment. The electrical work and equipment in mines, pipe line systems, ships, railway rolling stock or automotive equipment, or the operation of portable sound equipment;

6. Electrical equipment in manufacturer's plant. Any electrical installations or equipment involved in the manufacture, test or repair of electrical equipment in the manufacturer's plant;

7. Certain laboratories. Installations in suitable laboratories of exposed electrical wiring for experimental purposes only.

As used in this subchapter, "reasonably safe to persons and property," as applied to electrical installations and electrical equipment, means reasonably safe to use in the service for which the installation or equipment is intended without unnecessary hazard to life, limb or property.

R.S.1954, c. 100, § 93.

§ 2552. Effect on bylaws or ordinances

No existing bylaw or ordinance now in effect in any city or town shall be in any way affected by this subchapter.

R.S.1954, c. 100, § 102.

§ 2553. Standards; installation

All installations of electrical equipment shall be reasonably safe to persons and property and in conformity with the applicable statutes of the State and all applicable ordinances, orders, rules and regulations of any city or town, not in conflict herewith.

Conformity of installations of electrical equipment with applicable regulations set forth in the National Electrical Code, National Electrical Safety Code or electrical provisions of other safety codes which have been approved by the American Standards Association, shall be prima facie evidence that such installations are reasonably safe to persons and property.

The Insurance Commissioner may authorize installations of special wiring for purposes of obtaining field experience under controlled conditions in territory where electrical inspection is provided.

R.S.1954, c. 100, § 94.

§ 2554. —Equipment

All electrical equipment installed or used shall be reasonably safe to persons and property and in conformity with the applicable statutes of this State.

Conformity of electrical equipment with applicable standards of Underwriters' Laboratories, Inc. shall be prima facie evidence that such equipment is reasonably safe to persons and property.

The Insurance Commissioner may authorize installations of special wiring for purposes of obtaining field experience under controlled conditions in territory where electrical inspection is provided.

R.S.1954, c. 100, § 95.

§ 2555. Local inspectors

The governing body of any city or any town, at a town meeting duly called therefor, may provide by resolution or ordinance for the inspection of electrical installations within the limits of such municipality and may appoint an electrical inspector who shall enforce this subchapter and any applicable resolution or ordinance within his jurisdiction. Any city or town may join with one or more other cities or towns in paying for the services of said electrical inspector, provided said cities or towns have duly authorized the appointment of such inspector. Said ordinance or resolution shall declare whether the electrical inspection in said town or city shall be applicable to all or any of the following:

1. **Original installations.** Original installations of electrical equipment;
2. **Alterations or additions.** Alteration or addition to existing electrical equipment;
3. **Entire municipality.** All the territory of said town or city; or
4. **Sections of municipality.** Such section or sections of said town or city as may be described.

R.S.1954, c. 100, § 96.

§ 2556. Right of entry; notice of defect; emergencies

The electrical inspector having jurisdiction shall have the right during reasonable hours to enter any building or premises

in the discharge of his official duties, or for the purpose of making any inspection, reinspection or test of the electrical equipment contained therein or its installation. When any electrical equipment which is subject to this subchapter is found by a duly authorized electrical inspector to be dangerous to persons or property because it is defective or defectively installed, the person, firm or corporation responsible for the electrical equipment or its installation shall be notified in writing and shall make any changes or repairs required to place such equipment in reasonably safe condition. In cases of emergency, where immediately necessary for safety to persons or property, the said electrical inspector having jurisdiction shall have the authority to immediately disconnect or cause the disconnection of any electrical equipment.

R.S.1954, c. 100, § 97.

§ 2557. Permits

In any city or town in the State which has provided by resolution or ordinance for electrical inspection in accordance with this subchapter if said resolution or ordinance so provides, no electrical equipment shall be installed within or on any building, structure or premises, publicly or privately owned, nor shall any alteration or addition be made in any such existing equipment without first securing a permit therefor from the electrical inspector, except minor repair work, including the replacement of lamps, replacement of fuses, installation of additional outlets, replacement of existing switches, sockets and lamps, repairs to entrance service equipment, repairs or installation of radio and low voltage equipment.

Application for such permit shall be made in writing to the electrical inspector by the person, firm or corporation installing the work. The application shall be accompanied by a general description of the electrical work to be done. If the electrical inspector shall require it, plans, specifications and schedules that may be necessary to determine whether the installation, as described, will be in conformity with the requirements of this subchapter, shall be filed, and if the applicant has complied with all of this subchapter, a permit for such installation shall be issued.

No major deviation may be made from the installation described in the permit without the written approval of the electrical inspector.

R.S.1954, c. 100, § 98.

§ 2558. Fees

Any city or town in the State which has provided for electrical inspection in accordance with this subchapter may establish license fees which shall be paid by the applicant for a permit, before the permit is issued.

R.S.1954, c. 100, § 99.

§ 2559. Inspection and certificates of approval

Upon the completion of any installation of electrical equipment which has been made under a permit, it shall be the duty of the person, firm or corporation making the installation to notify the electrical inspector having jurisdiction, who shall inspect the work within a reasonable time.

Where the inspector finds the installation to be in conformity with this subchapter, he shall issue to the person, firm or corporation making the installation a certificate of approval.

If, upon inspection, any installation is not found to be fully in conformity with this subchapter, and all applicable local ordinances, rules and regulations, the electrical inspector making the inspection shall at once forward to the person, firm or corporation making the installation a written notice stating the defects which have been found to exist.

R.S.1954, c. 100, § 100.

§ 2560. Penalties

Any person, firm or corporation who shall violate any of the provisions of this subchapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5 nor more than \$50 for each offense.

R.S.1954, c. 100, § 101.

SUBCHAPTER IV**EMPLOYMENT AGENCIES****ARTICLE 1. GENERAL PROVISIONS**

Sec.

2601. Definitions.

2602. Enforcement; complaints for violation; hearing; revocation.

2603. Penalty and jurisdiction.

ARTICLE 2. LICENSE AND OPERATION

Sec.

- 2651. License; fee; processing; location of agency.
- 2652. Bond.
- 2653. Register.
- 2654. Receipt given to applicants for employment.
- 2655. Method of payment of fee for placement.
- 2656. Sending to place of bad repute forbidden; questionable characters barred.

ARTICLE 1. GENERAL PROVISIONS**§ 2601. Definitions**

The term "person" in this subchapter shall include a person, company, society, association, firm or corporation. The term "employment agency" shall include the business of keeping an intelligence office, employment bureau or other agency for procuring work or employment for persons seeking employment or for acting as agent for procuring such work or employment, where a fee or other valuable thing is exacted, charged or received, or for procuring or assisting to procure employment, work or situation of any kind or for procuring or providing for any person. This subchapter shall not apply to the employment of seamen nor to teachers' agencies nor to nurses' associations nor charitable institutions.

R.S.1954, c. 100, § 152.

§ 2602. Enforcement; complaints for violation; hearing; revocation

The enforcement of this subchapter shall be entrusted to the municipal officers during their term of office and until the qualification of their successor or successors. Complaints of the violation of any provision of this subchapter shall be made orally or in writing to said municipal officers, and reasonable notice thereof and of the time and place of hearing, not less than 24 hours, shall be given in writing to such licensee by serving upon him a concise statement of the facts constituting the complaint. The hearing shall be had before said municipal officers at such time and place as they may designate within one week from the date of such service, and no adjournment shall be taken for a period longer than one week. The result of such hearing shall be an-

nounced within one week from the date thereof. The municipal officers may refuse to issue and may revoke any license for good cause shown within the meaning and purpose of this subchapter. When it is shown to the satisfaction of a majority of said municipal officers that any person is guilty of any immoral, fraudulent or illegal act or conduct in connection with said business, said municipal officers shall revoke the license of such person. Notice of such charges shall be presented in writing signed by the party making the same and reasonable opportunity shall be given such licensee to defend himself in the manner provided in this section. Whenever said municipal officers shall refuse to issue or shall revoke any license of an employment agency, their decision shall be final. Whenever for any cause such license shall be revoked, such revocation shall take effect upon announcement of the decision, and such revocation shall be considered good cause for refusing to issue another license to said person or his representative, or to any person with whom he is to be associated in the business of furnishing employment or help.

R.S.1954, c. 100, § 150.

§ 2603. Penalty and jurisdiction

Whoever violates any provision of this subchapter shall be punished by a fine of not more than \$500 or by imprisonment for not more than 11 months, or by both. Any municipal officer may institute criminal proceedings to enforce this subchapter.

R.S.1954, c. 100, § 151; 1957, c. 139, § 4; 1963, c. 402, § 136.

ARTICLE 2. LICENSE AND OPERATION

§ 2651. License; fee; processing; location of agency

No person shall open, keep or carry on any employment agency in the State, unless such person shall first procure a license therefor from the municipal officers of the city or town where such employment agency is to be located. Such license shall be granted upon the payment to the city or town treasurer, annually, of a fee of \$100 for the use of said city or town. The license shall be signed by a majority of the municipal officers, and shall continue in force from May 1st to May 1st of the succeeding year. Every license so granted shall contain the name of the person licensed, a designation of the city, street and number of the house or building in which the licensee is authorized to carry on the employment agency, and the number and date of

such license, and shall be exhibited in a public and conspicuous place in the office or place of business of the licensee. Such license shall not be valid to protect any other place than that designated therein, unless consent is first obtained from the municipal officers, nor until the written consent to such transfer of the surety or sureties on the bond required by section 2652 is filed with the original bond. No such agency shall be located in a building or upon premises where intoxicating liquors are sold or dispensed contrary to law, or which or part of which is used as an inn, lodging house or boardinghouse, nor shall any license be issued to any person directly or indirectly interested in the sale of intoxicating liquors. The application for such license shall be filed with the municipal officers at least one week prior to the date of hearing thereon, and the municipal officers shall act upon any application within 30 days after the filing thereof. Each application shall be accompanied by the affidavits of 2 persons who have known the applicant, or the chief officers thereof if a corporation, for 2 years at least, stating that the applicant is or said officers are of good moral character and a resident or residents of the State and has or have been such for at least 5 years prior to the date of such application.

R.S.1954, c. 100, § 145; 1957, c. 139, § 1.

§ 2652. Bond

The municipal officers shall require such person to file with his application under section 2651 a bond to the inhabitants of the city or town wherein such application is made in the penal sum of \$1,000, with one or more sureties to be approved by said municipal officers, conditioned that the obligor will conform to and not violate any of the duties, terms, conditions, provisions or requirements of this subchapter. Whoever is aggrieved by the misconduct of any such licensed person may maintain an action in the name of the inhabitants of the city or town to whom the bond was given, but for his own benefit, upon the bond of such person, in any court having jurisdiction, and shall be liable for costs in such action and the inhabitants of such city or town shall not be liable.

R.S.1954, c. 100, § 146.

§ 2653. Register

Every such licensee shall keep a register in which shall be entered in the English language the date of every accepted application for employment, name and address of the applicant to

whom employment is offered or promised, written name and address of the person to whom applicant is sent for employment, and of the fee received. The register of applicants for employment shall be open during office hours to inspection by any one or more of the municipal officers, their authorized agents or any police officer when on duty. No licensee or his employees shall knowingly make any false entry in such register.

R.S.1954, c. 100, § 147.

§ 2654. Receipt given to applicants for employment

Every licensee shall give to each applicant for employment from whom a fee or other valuable thing shall be received for procuring such employment, or to whom a charge is made therefor, which fee or other valuable thing shall in no case exceed the equivalent of the first full week's wages, a receipt, in which shall be stated the name of the applicant, the amount of the fee or other valuable thing, the date, the name or nature of the employment or situation to be procured, and the name and address of the person, firm or corporation to whom the applicant is referred or sent for work or employment. Such fee shall be in full compensation for all service of said licensee. Should employment terminate in less than one month from time of placement, the fee shall not be over 10% of wages earned. The person to be employed must be furnished with a duplicate card showing name, last residence and name and residence of nearest relative or friend. No licensee shall by himself, agent or otherwise induce or attempt to induce any employee to leave his employment with a view to obtaining other employment through such agency.

R.S.1954, c. 100, § 148; 1957, c. 139, § 2; 1959, c. 121, § 1.

§ 2655. Method of payment of fee for placement

If placement fee is paid weekly, $\frac{1}{8}$ of such fee shall be paid each week for the first 8 weeks of employment; if paid semi-monthly, $\frac{1}{4}$ of the fee shall be paid for the first 4 paydays; if paid monthly, $\frac{1}{2}$ of the fee shall be paid for the first 2 paydays.

1957, c. 139, § 2-A; 1959, c. 121, § 2.

§ 2656. Sending to place of bad repute forbidden; questionable characters barred

No licensee under section 2651 shall send, or cause any applicant to be sent to any questionable place or place of bad re-

pute, house of ill fame or assignation house, or to any house or place of amusement kept for immoral purposes, or place resorted to for the purpose of prostitution, vice or gambling, the character of which such licensee knows, either actually or by reputation. No licensee shall knowingly permit questionable characters, prostitutes, gamblers, intoxicated persons or procurers to frequent such agency. No licensee shall accept any application made by or on behalf of any child for, or shall place or assist in placing any child in, any employment in violation of law.

R.S.1954, c. 100, § 149; 1957, c. 139, § 3.

SUBCHAPTER V

INNKEEPERS, VICTUALERS AND LODGINGHOUSES

ARTICLE 1. GENERAL PROVISIONS

Sec.

- 2701. Fraud by guest or customer.
- 2702. False show of baggage; proof of fraudulent intent.
- 2703. Copies of law posted.

ARTICLE 2. LICENSES

- 2751. License required.
- 2752. Licensing board: granting and revocation of licenses.
- 2753. Bond.
- 2754. Fee and record.
- 2755. Lodginghouses; definitions.
- 2756. —Issue of license; term; no fee.
- 2757. Revocation or suspension of license; hearing; appeal.

ARTICLE 3. REGISTRATION OF GUESTS

- 2801. Register; contents; inspection; penalty.
- 2802. Register of true name; penalty.
- 2803. Posting of law near register.

ARTICLE 4. DUTIES AND OBLIGATIONS

- 2851. Innkeepers.
- 2852. Victualers.
- 2853. Gambling prohibited.
- 2854. Disorderly conduct prohibited.

ARTICLE 5. SAFEKEEPING AND LIABILITY

- 2901. Liability for loss where safe provided.
- 2902. Special arrangement to receive deposits.
- 2903. Check or receipt for property delivered for safekeeping.
- 2904. Nature of liability; limit.

ARTICLE 6. LIENS

Sec.

2951. Lien on baggage or other property.
 2952. Enforcement of lien; notice of sale; proceeds.

ARTICLE 7. VIOLATIONS AND PENALTIES

3001. Prosecutions.
 3002. Record of convictions to licensing authority.

ARTICLE 1. GENERAL PROVISIONS

§ 2701. Fraud by guest or customer

Whoever obtains food, lodging or other accommodations at any hotel, inn, boardinghouse or eating house, with intent to defraud the owner or keeper thereof, shall be punished by a fine of not more than \$100 or by imprisonment for not more than 3 months.

R.S.1954, c. 100, § 44.

§ 2702. False show of baggage; proof of fraudulent intent

Evidence that lodging, food or other accommodations were obtained by false pretense, or by false or fictitious show or pretense of baggage or other property, or that the person refused or neglected to pay for such food, lodging or other accommodation on demand, or that he gave in payment for such food, lodging or other accommodation negotiable paper on which payment was refused, or that he absconded without paying or offering to pay for such food, lodging or other accommodation, or that he surreptitiously removed or attempted to remove his baggage, shall be prima facie proof of the fraudulent intent mentioned in section 2701. This section and section 2701 shall not apply where there has been an agreement in writing for delay in payment for a period exceeding 10 days.

R.S.1954, c. 100, § 45.

§ 2703. Copies of law posted

Every hotel keeper, innkeeper or boardinghouse keeper within this State shall keep a copy of sections 2701 to 2703, printed in distinct type, posted in not less than 10 conspicuous places in his hotel, inn, boardinghouse or eating house.

R.S.1954, c. 100, § 46; 1963, c. 402, § 128.

ARTICLE 2. LICENSES

§ 2751. License required

No person shall be a common innkeeper or victualer without a license, under a penalty of not more than \$50.

R.S.1954, c. 100, § 36.

§ 2752. Licensing board; granting and revocation of licenses

The municipal officers, treasurer and clerk of every town, hereinafter in this subchapter called the "licensing board," shall meet annually on the first Monday of May or on the day succeeding, or both, and at such time and place in said town as they appoint, by posting notices in 2 or more public places therein, at least 7 days previously, stating the purpose of the meeting. At such meeting they may license under their hands as many persons of good moral character, and under such restrictions and regulations as they deem necessary, to be innkeepers and victualers in said town, until the day succeeding the first Monday in May of the next year, in such house or other building as the license specifies. At any meeting so notified and held, they may revoke licenses so granted, if in their opinion there is sufficient cause.

The licensing board may, at any other time at a meeting specially called and notified as aforesaid for the consideration of any application therefor to them made, grant such license on like conditions, but all such licenses expire on the day aforesaid.

R.S.1954, c. 100, § 29.

§ 2753. Bond

No person shall receive his license as an innkeeper or victualer until he has given his bond to the treasurer, to the acceptance of the licensing board granting it, with one or more sureties in the penal sum of \$300, in substance as follows, namely:

Know all men that we, as principal, and, and, as sureties, are held and stand firmly bound to, treasurer of the town (or city) of, in the sum of three hundred dollars, to be paid to him, or his successor in said office; to the payment whereof we bind ourselves, our heirs, executors and administrators, jointly and severally by

these presents. Sealed with our seals. Dated the day of, in the year nineteen hundred and

The condition of this obligation is such that, whereas the above bounden has been duly licensed as a within said town (or city) until the day succeeding the first Monday of May next; now if in all respects he shall conform to the provisions of law relating to the business for which he is licensed, and to the rules and regulations as provided by the licensing board in reference thereto, and shall not violate any law of the State relating to intoxicating liquors, then this obligation shall be void, otherwise shall remain in full force.

R.S.1954, c. 100, § 30.

§ 2754. Fee and record

Every person licensed as an innkeeper or victualer 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 bylaw prescribe. Such ordinance or bylaw 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 was permitted by law on July 20, 1939.

R.S.1954, c. 100, § 31.

§ 2755. Lodginghouses; definitions

The municipal officers of cities and towns shall have authority to require by ordinance the granting of licenses to lodginghouses. The term "lodginghouse" shall not be deemed to include a house where lodgings are let to less than 5 lodgers, nor to the dormitories of charitable, educational or philanthropic institutions, nor to the emergency use of private dwelling houses at the time of conventions or similar public gatherings. The term "lodger" shall not be deemed to include persons within the 2nd degree of kindred to the person conducting a lodginghouse.

R.S.1954, c. 100, § 47.

§ 2756. —Issue of license; term; no fee

Licenses required by section 2755 may be issued by the same persons issuing innkeepers' and common victualers' licenses, as

provided in section 2752, and shall be for the same period as provided in said section. All innkeepers' licenses shall be expressed to be subject to sections 2755 to 2757, 2801 to 2803 and 3002. No license fee shall be collected for a lodginghouse license.

R.S.1954, c. 100, § 48.

§ 2757. Revocation or suspension of license; hearing; appeal

A license issued under this subchapter and section 3101 may be revoked if at any time the licensing authority shall be satisfied that the licensee is unfit to hold the license. It shall have the right to suspend and make inoperative for such period of time as it may deem proper all the licenses mentioned for any cause deemed satisfactory to it. The revocation and suspension shall not be made until after investigation and hearing, nor until the licensee shall have been given opportunity to hear the evidence in support of the charge against him and to cross-examine, by himself or through counsel, the witnesses, nor until the licensee shall have been given an opportunity to be heard. Notice of hearing shall be served on the licensee or left at the premises of the licensee not less than 3 days before the time set for the hearing. The licensing authority, as designated in this subchapter and section 3101, is specifically charged with the duty of enforcing the provisions therein and of prosecuting all offenders against the same. Appeal from the decision of the licensing authority may be had to the Superior Court in and for the county in which the licensing authority is located, in the usual manner provided for appeals from the District Court. Courts of competent jurisdiction, for due cause shown, may issue temporary orders restraining the enforcement of such revocations and suspensions, and after full hearing may vacate such temporary orders or make the same permanent.

R.S.1954, c. 100, § 51; 1963, c. 402, § 129.

ARTICLE 3. REGISTRATION OF GUESTS

§ 2801. Register; contents; inspection; penalty

Every person conducting any hotel or lodginghouse shall at all times keep and maintain or cause to be kept and maintained therein a register in which shall be inscribed the true name of each and every guest or person renting or occupying a room or rooms therein. Such register shall be signed by the person renting such

room or rooms, or by someone under his direction. The proprietor of such hotel or lodginghouse, or his agent, shall thereupon write opposite such name or names so registered the number of each room assigned to and occupied by each such guest, together with the date such room is rented. The proprietor of such hotel or lodginghouse, or his agent, shall keep and preserve a record showing the date when the occupant of each room so rented shall quit and surrender the same. Such record may be made a part of the register, and both shall be kept available for a period of 2 years at all reasonable times to the inspection of any lawful agent of the licensing authority or the sheriff and his deputies or any state police officer. Any person who willfully violates any provision of this section shall be punished by a fine of not less than \$100 nor more than \$500, or by imprisonment for not more than 90 days for each offense, or by both.

R.S.1954, c. 100, § 49; 1959, c. 92.

§ 2802. Register of true name; penalty

No person shall write, or cause to be written, or if in charge of a register knowingly permit to be written in any register in any lodginghouse or hotel any other or different name or designation than the true name or names in ordinary use of the person registering or causing himself to be registered therein; nor shall any person occupying such room or rooms fail to register or fail to cause himself to be registered. Any person violating any provision of this section shall be punished by a fine of not less than \$10 nor more than \$25 for each offense.

R.S.1954, c. 100, § 50.

§ 2803. Posting of law near register

All licensed innholders and all licensees under sections 2755 to 2757, 2801 to 2803 and 3002 shall post in a conspicuous place near the register, if required by the licensing authority, a notice to be furnished by it containing sections 2801 and 2802, relating to the entry of names in the register, together with the penalties herein provided for their violation.

R.S.1954, c. 100, § 52.

ARTICLE 4. DUTIES AND OBLIGATIONS

§ 2851. Innkeepers

Every innkeeper shall, at all times, be furnished with suitable provisions and lodging for strangers and travelers and he shall grant such reasonable accommodations as occasion requires to strangers, travelers and others.

R.S.1954, c. 100, § 32.

§ 2852. Victualers

Every victualer has all the rights and privileges and is subject to all the duties and obligations of an innkeeper, except furnishing lodging for travelers.

R.S.1954, c. 100, § 33.

§ 2853. Gambling prohibited

No innkeeper or victualer shall have or keep for gambling purposes about his house, shop or other buildings, yards, gardens or dependencies any dice, cards, bowls, billiards, quoits or other implements used in gambling, or suffer any person resorting thither to use or exercise for gambling purposes any of said games or any other unlawful game or sport therein. Every person, who uses or exercises any such game or sport for gambling purposes in any place prohibited, forfeits \$5.

R.S.1954, c. 100, § 34.

§ 2854. Disorderly conduct prohibited

No innkeeper or victualer shall suffer any reveling or riotous or disorderly conduct in his house, shop or other dependencies, nor any drunkenness or excess therein.

R.S.1954, c. 100, § 35.

ARTICLE 5. SAFEKEEPING AND LIABILITY

§ 2901. Liability for loss where safe provided

No innkeeper, hotel keeper or boardinghouse keeper who constantly has in his inn, hotel or boardinghouse a metal safe or suitable vault, in good order and fit for the custody of money,

bank notes, jewelry, articles of gold and silver manufacture, precious stones, personal ornaments, railroad mileage books or tickets, negotiable or valuable papers and bullion, and who keeps on the doors of the sleeping rooms used by guests suitable locks or bolts, and on the transoms and windows of said rooms suitable fastenings, and who keeps a copy of this section printed in distinct type constantly and conspicuously posted in not less than 10 conspicuous places in all in said hotel or inn, shall be liable for the loss of or injury to any articles or property of the kind above specified suffered by any guest, unless such guest has offered to deliver the same to the innkeeper, hotel keeper or boardinghouse keeper for custody in such metal safe or vault and the innkeeper, hotel keeper or boardinghouse keeper has omitted or refused to take said property and deposit it in such safe or vault for custody and to give such guest a receipt therefor. The keeper of any inn, hotel or boardinghouse shall not be obliged to receive from any one guest for deposit in such safe or vault any property hereinbefore described exceeding a total value of \$300, and shall not be liable for any excess of such property, whether received or not.

R.S.1954, c. 100, § 38.

§ 2902. Special arrangement to receive deposits

Any such innkeeper, hotel keeper or boardinghouse keeper may, by special arrangement with a guest, receive for deposit in such safe or vault any property upon such terms as they may in writing agree to. Every innkeeper, hotel keeper or boardinghouse keeper shall be liable for any loss of the above enumerated articles of a guest in his inn, hotel or boardinghouse after said articles have been accepted for deposit, if caused by the theft or negligence of the innkeeper, hotel keeper, boardinghouse keeper or any of his servants.

R.S.1954, c. 100, § 39.

§ 2903. Check or receipt for property delivered for safekeeping

Every guest and every person intending to be a guest of any hotel or inn in this State, upon delivering to the proprietor of such hotel or inn or to his servants any baggage or other articles of property of such guest for safekeeping elsewhere than in the room assigned to such guest, shall demand, and such hotel proprietor shall give a check or receipt therefor in such case, to evidence the

fact of such delivery. No such proprietor shall be liable for the loss of or injury to such baggage or other article of property of this guest, unless the same shall have been actually delivered by such guest to such proprietor or to his servants for safekeeping, or unless such loss or injury shall have occurred through the negligence of such proprietor or of his servants or employees in such hotel or inn.

R.S.1954, c. 100, § 40.

§ 2904. Nature of liability; limit

The liability of the keeper of any inn or hotel for loss of or injury to personal property placed by his guests under his care, other than that described in sections 2901 to 2903 shall be that of a depository for hire, except that in case such loss or injury is caused by fire not intentionally produced by the innkeeper or his servants, such keeper shall not be liable. In no case shall such liability exceed the sum of \$150 for each trunk and its contents, \$50 for each valise and its contents and \$10 for each box, bundle or package and contents, so placed under his care, and for all other miscellaneous effects including wearing apparel and personal belongings, \$50, unless he shall have consented in writing with such guest to assume a greater liability. Whenever any person shall suffer his baggage or property to remain in any inn, hotel or boardinghouse after leaving the same as a guest, and after the relation of keeper and guest between such guest and the proprietor of such inn or boardinghouse or hotel has ceased, or shall forward the same to such inn, hotel or boardinghouse before becoming a guest thereof, and the same shall be received into such inn or boardinghouse or hotel, such innkeeper may at his option hold such baggage or property at the risk of such owner.

R.S.1954, c. 100, § 41.

ARTICLE 6. LIENS

§ 2951. Lien on baggage or other property

The keeper of any inn, boardinghouse or hotel shall have a lien on the baggage and other property in and about said premises belonging to or under the control of his guests or boarders, for the proper charges due him from such guests or boarders for the accommodation, board and lodging, and for all money paid for or advanced to them, and for such other extras as are furnished at their request. Said innkeeper, boardinghouse keeper or hotel

keeper may detain such baggage and other property until the amount of such charges is paid, and such baggage and other property shall be exempt from attachment or execution until such keeper's lien and the cost of satisfying it are satisfied.

R.S.1954, c. 100, § 42.

§ 2952. Enforcement of lien; notice of sale; proceeds

The innkeeper, boardinghouse keeper or hotel keeper shall retain such baggage and other property upon which he has a lien for a period of 90 days, at the expiration of which time, if such lien is not satisfied, he may sell such baggage and other property at public auction, after giving 10 days' notice of the time and place of sale in a newspaper of circulation in the county where the inn, boardinghouse or hotel is situated, and by mailing a copy of such notice addressed to said guest or boarder at the place of residence registered by him in the register of such inn, hotel or boardinghouse. After satisfying the lien and any costs that may accrue, any residue remaining shall, on demand within 6 months, be paid to such guest or boarder, and if not so demanded within 6 months from date of such sale, such residue shall be deposited by such innkeeper, boardinghouse keeper or hotel keeper with the treasurer of the county in which the inn, hotel or boardinghouse is situated, together with a statement of such keeper's claim and the cost of enforcing same, a copy of the published notice, and of the amounts received for the goods sold at said sale. Said residue shall by said county treasurer be credited to the general revenue fund of said county, subject to a right of said guest or boarder or his representative to reclaim at any time within 3 years of date of deposit with said treasurer.

R.S.1954, c. 100, § 43.

ARTICLE 7. VIOLATIONS AND PENALTIES

§ 3001. Prosecutions

The licensing board shall prosecute for any violation of sections 2751 to 2754 and 2851 to 2854 that comes to its knowledge, by complaint, indictment or civil action. All penalties recovered shall inure to the town where the offense is committed. Any citizen of the State may prosecute for any violation of the said sections in the same manner as the licensing board may prosecute.

R.S.1954, c. 100, § 37; 1961, c. 317, § 306.

§ 3002. Record of convictions to licensing authority

The clerk of a court in which any person is convicted of a violation of any provision of this subchapter shall forthwith send a copy of the record of the conviction to the licensing authority in the city or town where the offense occurred.

R.S.1954, c. 100, § 53.

SUBCHAPTER VI**JUNK DEALERS**

Sec.

3051. Records; definitions.

§ 3051. Records; definitions

Every dealer in junk shall keep a record of the name of every person selling such junk to said dealer and the registration number of the motor vehicle used by such seller in the delivery of such junk. These records shall be open for the inspection of any officer of the law. Whoever fails to make such record as provided by this paragraph shall be punished by a fine of not more than \$100.

The word "junk" as used in this section shall mean old iron, chains, brass, copper, tin, lead or other base metals, old rope, old bags, rags, waste paper, paper clippings, scraps of woolens, clips, bagging, rubber and glass, and empty bottles of different kinds when less than one gross, and all articles discarded or no longer used as a manufactured article composed of any one or more of the materials mentioned.

R.S.1954, c. 100, § 133.

SUBCHAPTER VII**LUNCH WAGONS**

Sec.

3101. License; revocation; objections.

§ 3101. License; revocation; objections

The mayor and aldermen of any city or selectmen of any town may, if in their opinion public convenience so requires, license any reputable person, upon the payment of an annual license fee to be fixed by said licensing authority, to maintain a

vehicle for the sale of food in such part of any public way and during such hours as the licensing authority may designate, provided public travel is not incommoded thereby. No other or further license shall be required for this purpose. Any such license may be revoked for reasonable cause at any time by the licensing authority. No such license shall be granted to use any part of any public way, the fee in which is not owned by the city or town, against the objection of the owners of the land abutting on that part of the way.

R.S.1954, c. 100, § 54.

SUBCHAPTER VIII

PAWNBROKERS

Sec.

3151. License.

3152. Account of business done.

3153. Rates of interest.

3154. Time and manner of selling pawned property; notice.

3155. Disposal of proceeds of sale.

§ 3151. License

The municipal officers of any town may grant licenses to persons of good moral character to be pawnbrokers therein for one year, unless sooner revoked by said officers for violation of law. Whoever carries on said business without a license forfeits not more than \$100.

R.S.1954, c. 100, § 131.

§ 3152. Account of business done

Every pawnbroker shall keep a book in which he shall enter the date, duration, amount and rate of interest of every loan made by him, an accurate account and description of the property pawned, and the name and residence of the pawner. At the same time he shall deliver to said pawner a written memorandum signed by him, containing the substance of the above entry, and at all reasonable times shall submit said book to the inspection of any of the municipal officers aforesaid. For every violation of this section he forfeits \$20.

R.S.1954, c. 100, § 132.

§ 3153. Rates of interest

No pawnbroker shall directly or indirectly receive a rate of interest greater than 25% a year on a loan not exceeding \$25, nor more than 6% on a larger loan made upon property pawned, under a penalty of \$100 for each offense.

R.S.1954, c. 100, § 134.

§ 3154. Time and manner of selling pawned property; notice

No pawnbroker shall sell any property pawned until it has remained in his possession for 3 months after the expiration of the time for which it was pawned. All such sales shall be at public auction by a licensed auctioneer, after notice of the time and place of sale, the name of the auctioneer and a description of the property to be sold has been published in a newspaper in the town where the property is pawned, if any, and if not, after such notice has been posted in 2 public places therein at least 2 weeks before the sale. All sales of such property otherwise made are void, and the pawnbroker undertaking to make them forfeits \$20 for every such offense.

R.S.1954, c. 100, § 135.

§ 3155. Disposal of proceeds of sale

After deducting from the proceeds of any sale under section 3154 the amount of the loan, the interest then due and the proportional part of the expenses of the sale, such pawnbroker shall pay the balance to the person who would have been entitled to redeem such property if no sale had been made. If not so paid on demand, the broker forfeits double the amount so retained, $\frac{1}{2}$ to the pawner and $\frac{1}{2}$ to the State.

R.S.1954, c. 100, § 136.

SUBCHAPTER IX**STEAM ENGINEERS AND FIREMEN**

Sec.

- 3201. Applicability of provisions.
- 3202. Municipal examiners.
- 3203. Certificates of competency; application; exemption.
- 3204. Licenses graded; qualifications and exemptions.
- 3205. Examination; certificate; fee.

- Sec.
3206. Term of certificate.
3207. License renewed; refusal; duplicate.
3208. Incompetency; hearing; license revocations; temporary operator.
3209. Violations.

§ 3201. Applicability of provisions

This subchapter shall not apply to cities and towns having less than 40,000 inhabitants.

R.S.1954, c. 97, § 61.

§ 3202. Municipal examiners

The municipal officers of cities and towns shall annually in the month of April, or as soon as practical thereafter, appoint an examiner of steam engineers and firemen, who has had not less than 5 years practical experience operating boilers and engines.

R.S.1954, c. 97, § 62.

§ 3203. Certificates of competency; application; exemption

It shall be unlawful for any person or persons to operate a steam plant consisting of boiler or engine where the services of an engineer or fireman are required, without first obtaining a certificate of competency from said examiner. This subchapter shall not apply to dwelling houses, apartment houses and buildings where the steam plant is used for heating purposes only, excepting boilers where the safety valve is set for a pressure higher than 15 pounds.

Any person intending to operate a steam plant except as otherwise provided shall make application in writing to the city clerk, who will notify him in writing when to appear for examination.

R.S.1954, c. 97, § 63.

§ 3204. Licenses graded; qualifications and exemptions

Licenses shall be granted as follows:

First grade, horsepower unlimited.

Second grade, limited to 500 horsepower.

Third grade, limited to 200 horsepower.

Special grade, limited to engineers and firemen operating some special steam plant, and to night engineers and firemen, and

to engineers handling donkey, hoisting and steam-roller engines. A special license shall state for what purposes such license is issued and the location of the plant.

An engineer or fireman who has been granted a second grade certificate may operate a plant as specified in the first grade under direction of an engineer or fireman who has been granted a first grade certificate, and an engineer or fireman who has been granted a third grade certificate may operate a plant as specified in the second grade under direction of an engineer or fireman who has been granted a second grade certificate. All persons holding engineer's or fireman's licenses issued by the United States local inspectors of steam vessels shall be exempt from this subchapter and this subchapter shall not apply to buildings owned by the United States Government.

R.S.1954, c. 97, § 64.

§ 3205. Examination; certificate; fee

An examiner's fee of \$2 for every applicant shall be paid to the city clerk when application is made. It shall be the duty of the city clerk to forward all applications to the examiner. The examiner shall examine all applicants in writing and shall issue a certificate in the following form, if the applicant is of temperate habits and has suitable competency:

“STATE OF MAINE.

This is to certify that _____, having made application to the city clerk for permission to take charge of and to operate a steam plant, and having produced evidence of his competency to act in said capacity as _____, I have issued to him this certificate as approved by law this _____ day of _____.”

Said certificate when issued shall be filed in the office of the city clerk and said clerk shall issue and deliver to said applicant a duly attested copy of said certificate. The copy so issued shall be posted by the holder thereof in a frame under glass in a conspicuous place in or near the boiler room of the steam plant to be operated.

The city clerk shall pay the examiner the sum of \$1.75 out of the fee of \$2 deposited with him for that purpose, retaining the sum of 25¢ as payment for the attested copy issued by said city clerk.

R.S.1954, c. 97, § 65.

§ 3206. Term of certificate

The term of certificate shall be one year from date granted unless revoked as provided.

R.S.1954, c. 97, § 66.

§ 3207. License renewed; refusal; duplicate

When an engineer or fireman shall apply for a renewal of his license for the same grade, the presentation of the attested copy of the original certificate shall be considered sufficient evidence of his title to renewal, which certificate shall be retained by the examiner upon the official files as the evidence upon which the license was renewed, and a new certificate shall be issued upon the payment of a fee of \$1, unless such license shall be forfeited or unless facts shall have come to the knowledge of the examiner which would render a renewal improper. In such case the applicant shall be entitled to a hearing before the examiner. In case of loss or destruction of applicant's certified copy of his license, the city clerk shall, by direction of the examiner, issue to the applicant a duplicate attested copy, upon payment of a fee of 25¢.

R.S.1954, c. 97, § 67.

§ 3208. Incompetency; hearing; license revocations; temporary operator

When the examiner receives notice in writing, signed by 10 or more residents of the city or town where the steam plant in question is located, stating that in their opinion the person in charge of such steam plant is incompetent to discharge his duties, or by reason of negligence, intemperance or other cause such person ought not to longer remain in charge of such steam plant, the said examiner may temporarily suspend the authority of such person to act in said capacity until the investigation and hearing as provided can be made. Said certificate shall not be permanently revoked until the said examiner shall have given a hearing to the person against whom a complaint has been filed, and shall have given him a written copy of said complaint at least 48 hours before said hearing is to be held. Said examiner shall immediately cause an investigation to be made as to the habits and qualifications of the person so complained of. If such person is found to be incompetent to remain in charge of said steam plant, said examiner shall cause the certificate granted under this subchapter to be revoked, and notice of such revocation shall

be filed with the city clerk. If the examiner shall after hearing revoke said license, he shall then give the person or corporation having control of such plant notice of his findings. If after the receipt of such notice, the person or corporation having control of such steam plant shall neglect or refuse to cause said steam plant to be placed in charge of some person qualified under this subchapter, within a reasonable time thereafter, such person or corporation shall be subject to the penalty provided in section 3209. The person or corporation in control of a steam plant, in case of sickness, emergency or other good and sufficient reason, may temporarily employ some competent person, not holding a license as herein provided, to operate said plant for a period not exceeding 2 weeks.

R.S.1954, c. 97, § 68.

§ 3209. Violations

Whoever violates any provision of this subchapter shall be punished by a fine of not more than \$50.

R.S.1954, c. 97, § 69.