

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-seventh and Eighty-eighth
Legislatures

OF THE

STATE OF MAINE

From April 7, 1935 to April 24, 1937

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842, and Acts approved
August 6, 1930 and April 2, 1931.

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AUGUSTA, MAINE
1937

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Eighth Legislature

1937

Chapter 15

AN ACT Appropriating Moneys for Overdrafts Already Incurred Due to Insufficient Appropriations and Anticipated Overdrafts and Other Obligations for Which no Legislative Appropriations Have Been Made.

Emergency preamble. Whereas, the funds appropriated for the support of certain dependent persons for the fiscal year ended June 30, 1936, were insufficient and an operating deficit was created; and

Whereas, for the present fiscal year appropriations for the support of such dependent persons are entirely exhausted; and

Whereas, certain other appropriations for carrying on the activities of state government are likewise exhausted; and

Whereas, there are outstanding unpaid obligations which were legally contracted for under existing laws; and

Whereas, existing statutes provide for the support and treatment of certain persons as a direct obligation of the state; and

Whereas, there are no funds in the treasury that can be utilized for such purposes; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore

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

Sec. 1. Emergency appropriations. There is hereby appropriated for the fiscal year ending June 30, 1937 the following sums from any funds in the treasury, which may be hereafter provided, for the following deficiencies:

Dept. of Health & Welfare

Aid & Relief

Pauper support, fiscal year 1935-36	\$842,992.41
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(to be credited to sinking fund reserve)

Pauper support and other dependent persons,	
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1st 6 months, 1936-37	154,662.75
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Bal. of fiscal year 1936-37	700,000.00
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Included in the above amounts are pauper bills and claims, not paid because not presented during time fixed by law, amounting to \$13,632.68, a detailed list of which is filed with state budget officer

Surplus commodity distribution and administration of old age assistance	75,000.00
Contingent fund	150,000.00
Institutional requirements, by reason of new construction	
Augusta State Hospital	22,000.00
Pownal State School	25,000.00
Unemployment Insurance Commission	
In accordance with law passed at special session, December, 1936, chapter 192, public laws, 1936, (appropriated but no funds)	25,000.00
Expenses, December special session	10,000.00
Dept. of Agriculture	
Bangs Disease	39,728.00

Sec. 2. Emergency deficiency tax. There is hereby levied and imposed, in addition to any other taxes now in effect thereon, an excise tax to be known as the 1936-7 Deficiency Tax on all malt liquor sold in the state of \$3.72 on each and every barrel containing not more than 31 gallons and at a like rate for any other quantity or for the fractional parts of each barrel. The payment of said tax shall be evidenced by a stamp affixed to each barrel, bottle or other container containing malt liquor. Said stamp shall express the amount of the tax paid evidenced thereby. No malt liquor shall be sold in or from a container unless said stamp shall be affixed thereto.

Sec. 3. Sale of stamps. The state liquor commission shall cause to be prepared and shall furnish and sell all stamps to carry into effect the provisions of the foregoing section.

Sec. 4. Counterfeiting of stamps. Any person who shall make, forge or utter any false stamps provided for in this act shall be guilty of a felony and shall be subject to the same penalties as provided for counterfeiting of public securities under the laws of the state of Maine.

Sec. 5. Disposition of monies collected. All money received by the state liquor commission under this act shall be forthwith turned over to the state treasurer and be credited to an account entitled 1937 deficiency account on the books of the state controller. The balance of said account, if any, on June 30, 1939, shall be credited to the general funds of the state.

Sec. 6. Appropriation of funds. All funds collected under the provisions of this act are hereby appropriated to the purposes set forth in section 5 of this act for the period ending June 30, 1937.

Sec. 7. Penalties. Whoever violates any of the provisions of this act, other than making or uttering false stamps as hereinbefore provided, shall

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be punished by a fine of not more than \$500 or by imprisonment for a term of not more than 11 months, or by both fine and imprisonment.

Sec. 8. Limitations. This act shall not be effective after June 30, 1939.

Emergency clause. In view of the emergency cited in the preamble hereof, this act shall take effect when approved.

Approved February 25, 1937.

Chapter 16

AN ACT Relating to the Western Washington Municipal Court.

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

Sec. 1. P. & S. L., 1921, c. 113, § 10, amended. Section 10 of chapter 113 of the private and special laws of 1921 is hereby amended to read as follows:

‘**Sec. 10. Writs.** The price of blank writs with the seal of the court signed by the recorder or by the judge, shall be 4 cents and all other fees in civil cases shall be the same as are taxable by a trial justice except as otherwise provided in sections 5 and 6.

All writs and processes in civil matters shall be in the name of the state, bear the teste of said judge, under the seal of said court, and signed by the recorder or by the judge, be served in time and manner as now provided by law in case of writs issued by trial justices, except that writs in which the debt or damage demanded exceed \$20, shall be served in time and manner as similar writs returnable to the ~~supreme judicial~~ superior court, and no writ shall be made returnable at a term of the court to begin more than 3 months after the commencement of the action.’

Sec. 2. P. & S. L., 1921, c. 113, § 14, amended. Section 14 of chapter 113 of the private and special laws of 1921 is hereby amended to read as follows:

‘**Sec. 14. Place where court shall be held.** Said court shall be held in the court house in said town of Machias, the quarters thereof to be designated by the county commissioners of said county of Washington, or the said county commissioners at the expense of the county, shall provide some other suitable place for holding said court, in said town of Machias, except that crimes or misdemeanors committed within the township of Lubec and Trescott in said county, may be held in the said town of Lubec, the quarters thereof to be designated by the judge of said court, and provided by the said judge, without expense to the said county of Washington,