

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth
Legislature

1911

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county such mortgage shall be recorded in the office of the register of deeds for the registry district in which said unincorporated place is located,' so that the last sentence of said section as amended shall read as follows :

--where mortgage shall be recorded.
--proviso.

'If any mortgagor resides in an unorganized place, the mortgage shall be recorded in the oldest adjoining town or plantation, organized as aforesaid, in the county, provided there be a town or plantation in the county organized as aforesaid, and if there be no such town or plantation organized as aforesaid in the county such mortgage shall be recorded in the office of the register of deeds for the registry district in which such unincorporated place is located.'

Approved March 25, 1911.

Chapter 87.

An Act in relation to Employment Agencies.

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

Unlawful to conduct employment agencies unless licensed.

Section 1. No person shall open, keep or carry on any employment agency in the state of Maine, unless every such person shall procure a license therefor from the municipal officers of the town where such employment agency is to be located. Any person who shall open or conduct any such agency without first procuring such license shall be guilty of a misdemeanor and shall be punishable by a fine of not less than fifty dollars and not exceeding three hundred dollars, or upon failure to pay such fine by imprisonment for a period not exceeding six months and not less than one month, or both, at the discretion of the court. Such license shall be granted upon the payment to said municipal officers annually of a fee of twenty-five dollars. Such license shall be signed by a majority of the said municipal officers and shall continue in force from May first to May first of the succeeding year.

--annual license fee.

--form of license.

--license not valid to protect any other place.

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 person licensed is authorized to carry on the said employment agency and the number and date of such license. Such license shall not be valid to protect any other place than that designated in the license, unless consent is first obtained from the municipal officers and until the written consent of the surety or sureties on the bond required to be filed by section two of this act to such transfer, be filed with the original bond. No such agency shall be located on prem-

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ises where intoxicating liquors are sold or dispensed contrary to law, or shall any license be issued to any person, directly or indirectly engaged or 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 upon the said application and the said municipal officers shall act upon any application so made within thirty days from the date of the filing of said application. Such application shall be accompanied by the affidavits of two persons who have known the applicant (or the chief officers thereof, if a corporation) for two years at least, stating that the applicant is of good moral character and a resident of the state and has been such for at least five years prior to the date of such application.

—application to be filed with municipal officers.

—affidavits.

Section 2. The municipal officers shall require such person to file with said application for a license a bond in due form in favor of the inhabitants of the city or town wherein such application is made in the penal sum of one thousand dollars, with one or more sureties, to be approved by said municipal officers and conditioned that the obligor will conform to and not violate any of the duties, terms, conditions, provisions or requirements of this act.

Bond shall be required of applicant.

If any person shall be aggrieved by the misconduct of any such licensed person, such person may maintain an action in his own name upon the bond of said employment agency, in any court having jurisdiction.

—persons aggrieved may maintain action.

Section 3. It shall be the duty of every such licensed person to 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.

Licensee shall keep a register in English language

The aforesaid register of applicants for employment shall be open during office hours to inspection by any one or more of said municipal officers, their qualified agents, or any police officer when on duty.

—register shall be open for inspection.

No such licensed person, or his employees, shall knowingly make any false entries in such register.

—false entries.

Section 4. Every licensed person shall give to each applicant for employment from whom a fee or other valuable thing shall be received for procuring such employment, which fee or other valuable thing shall be and in no case exceed the sum of one dollar, said fee being in full compensation for all service of said licensed person, a receipt in which shall be stated

Receipt shall be given to applicants for employment for fees received.

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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. If the applicant does not obtain a situation, or employment through the agency of such licensed person within six days after the application as aforesaid, said licensed person shall return to said applicant on demand the amount of the fee or other valuable thing so paid and delivered by said applicant to said licensed person, provided that said person, seeking employment through such agency, does not break any agreement he may make with said licensed person, relative to time of entering into the employment sought for. Any licensed person shall not 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.

—fees shall be returned to applicant in case no employment is obtained in certain time.

—proviso.

No person shall be sent to place of bad repute.

Section 5. No such licensed person shall send, or cause to be sent, any female help or servants, or inmate or performer, to enter any questionable place or place of bad repute, 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 house, the character of which such licensed person knows, either actually or by reputation.

—questionable characters shall not be permitted to frequent agency.

No such licensed person shall permit questionable characters, prostitutes, gamblers, intoxicated persons, or procurers to frequent such agency knowingly. No such licensed person shall accept any application for employment made by or on behalf of any child, or shall place or assist in placing any such child in any employment whatever in violation of law.

Enforcement of this act.

Section 6. The enforcement of this act shall be entrusted to the municipal officers during their term of office and until the qualification of their successor or successors.

—complaints for violation of this act, how made and to whom.

Complaints of the violation of any of the provisions of this act shall be made orally or in writing to said municipal officers and reasonable notice thereof, not less than one day, shall be given in writing to such licensed person by serving upon him concise statements of the facts constituting the complaint, and 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 the service of such complaint upon such licensed person, and no adjournment shall be taken for a period of longer than one week. Reasonable notice of the time and place of hearing

—notice of hearing.

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shall be given in writing to such licensed person complained against. The result of any such hearing shall be rendered within one week from the date of hearing. The municipal officers may refuse to issue and may revoke any license for any good cause shown within the meaning and purpose of this act, and 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 the conducting of said business, it shall be the duty of said municipal officers to revoke the license of such person, but notice of such charges shall be presented in writing signed by the party making the same and reasonable opportunity shall be given such licensed person to defend himself in the manner and form heretofore provided in this section of this act. Whenever said municipal officers shall refuse to issue or shall revoke any license of any employment agency, said decision shall be final. Whenever for any cause such license shall be revoked, said revocation shall take effect at once after said revocation is announced, 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. The violation of any of the provisions of this act except as is otherwise provided shall be punishable by a fine not exceeding twenty-five dollars with costs of prosecution, and any city magistrate, judge of a municipal court, trial justice or any inferior magistrate having original jurisdiction in criminal cases, shall have power to impose said fine and costs, and in default of payment to commit to the county jail or house of correction the person so offending for a period not exceeding thirty days. Any one of the municipal officers may institute criminal proceedings to enforce the provisions of this act before any court of competent jurisdiction.

—license may be revoked.

—penalty for violation of this act.

Section 7. All money paid to said municipal officers by reason of any of the provisions of this act shall be paid to the town or city treasurer for the use of said city or town.

All money shall be paid to city or town treasurer.

Section 8. Said licensed person shall exhibit in a public and conspicuous place in his place of business or office, the license which he has obtained from said municipal officers of the city or town wherein said agency is established.

License shall be displayed in conspicuous place.

Section 9. The term "person" in this act shall include persons, company, society, association, firm or corporation and the term "employment agency" shall include the business of keeping an intelligence office, employment bureaus or other agencies by procuring work or employment for persons seek-

Terms defined as applied to this act.

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ing employment, or for acting as agents 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 hereby for any person.

Not to apply
to seamen,
etc.

Section 10. This act shall not apply to the employment of seamen or shall the provisions of any section in this act apply to teachers' agencies or charitable institutions.

Inconsistent
acts repealed.

Section 11. All acts or parts of acts inconsistent herewith are hereby repealed.

Approved March 25, 1911.

Chapter 88.

An Act to amend Section sixty-two of Chapter fifteen of the Revised Statutes as amended by Chapter forty-eight of the Public Laws of nineteen hundred and five relating to Free High Schools.

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

Section 62,
chapter 15,
R. S. as
amended by
chapter 48
public laws
1905, re-
pealed.

Provisions
for pupils in
towns having
no free high
schools.

Section sixty-two of chapter fifteen of the revised statutes as amended by chapter forty-eight of the public laws of nineteen hundred and five is hereby repealed and in place thereof the following is substituted:

'Section 62. Any town which does not maintain a free high school of standard grade may, from year to year, authorize its superintending school committee to contract with and pay the superintending school committee of any adjoining town or the trustees of any academy located within such town or in an adjoining town, for the tuition of scholars within said town in the studies contemplated by the seven preceding sections. When such contract has been made with the trustees of an academy a joint committee for the selection of teachers and the arrangement of the course of study in such academy shall include the superintending school committees of the contracting towns with an equal number of members of the board of trustees of such academy when such academy has less than ten thousand dollars endowment. The expenditure of any town for tuition as provided in this section shall be subject to the same conditions and shall entitle such town to the same state aid as if it had made such expenditure for a free high school.'

Approved March 25, 1911.