

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

**1913**

Including Acts and Resolves of the Special Session held  
in 1912.

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Published by the Secretary of State, agreeably to Resolves of  
June 28, 1820, February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth  
Legislature

*1913*

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## CHAP. 26

Section 14  
of chapter  
73, R. S.,  
as amended  
by section 2  
of chapter  
37 of P. L.  
of 1907,  
further  
amended.

Sufficient  
proof of  
appoint-  
ment of  
executor, etc.

Section 2. Section fourteen of chapter seventy-three of the Revised Statutes as amended by section two of chapter thirty-seven of the Public Laws of 1907, is hereby further amended by inserting after the word "administrator" in the second line of said section as amended, the word 'conservator,' so that said section as amended shall read as follows:

'Section 14. A duly authenticated copy of the appointment of such executor, administrator, conservator or guardian, by any court of probate having jurisdiction in any other of the United States or in a foreign country, examined and allowed by any judge of probate in this state, and filed and recorded in his county, is sufficient proof of appointment to entitle him to the benefit of the preceding section.'

Approved March 3, 1913.

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### Chapter 26.

An Act to Amend Chapter Thirty-nine of the Public Laws of Nineteen Hundred and Eleven, Providing for the Weekly Payment of Wages.

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

Chapter 39,  
P. L. of  
1911,  
amended.

Section 1. Chapter thirty-nine of the Public Laws of nineteen hundred and eleven, is hereby amended by adding after the word "lines" in the eighth line of said chapter the words 'and every steam railroad company or corporation.' So that said chapter as amended shall read as follows:

Weekly  
payment  
of wages  
provided for.

'Every manufacturing, mining or quarrying, mercantile, street railway, telegraph or telephone corporation, every incorporated express company or water company and every contractor, person or partnership engaged in any manufacturing business, in any of the building trades, in quarries or mines, upon public works or in the construction or repair of street railways, roads, bridges or sewers or of gas, water or electric light works, pipes or lines, and every steam railroad company or corporation, shall pay weekly each employee engaged in his or its business the wages earned by him to within eight days of the date of said payment, but any employee leaving his or her employment shall be paid in full on the following regular pay day, provided, that when an employee is discharged he shall be paid the wages due him on demand; and the state, its officers, boards and commissions shall so pay every mechanic, workman and laborer who is employed by it or them, and every county and city shall so pay every employee who is engaged in its business the wages or salary earned by him, unless such mechanic, workman, laborer

—proviso.

—state  
employees.

—county  
and city  
employees.

or employee requests in writing to be paid in a different manner; and every town shall so pay each employee in its business if so required by him; but an employee who is absent from his regular place of labor at a time fixed for payment shall be paid thereafter on demand. The provisions of this section shall not apply to an employee engaged in cutting and hauling logs and lumber, nor the driving of same until it reaches its place of destination for sale or manufacture; nor to an employee of a co-operative corporation or association if he is a stockholder therein unless he requests such corporation to pay him weekly. No corporation, contractor, person or partnership shall by a special contract with an employee or by any other means exempt himself or itself from the provisions of this act. Whoever violates the provisions of this act shall be punished by a fine of not less than ten nor more than fifty dollars.'

CHAP. 27

—town employees.

—act shall not apply to employees cutting and hauling logs.

—penalty for violation of this act.

Approved March 3, 1913.

### Chapter 27.

An Act to Change the Burden of Proof in Certain Negligence Cases in Which Contributory Negligence is a Defense.

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

Section 1. In actions to recover damages for negligently causing the death of a person, or for injury to a person who is deceased at the time of trial of such action, the person for whose death or injury the action is brought shall be presumed to have been in the exercise of due care at the time of all acts in any way related to his death or injury, and if contributory negligence be relied upon as a defense it shall be pleaded and proved by the defendant.

Burden of proof in certain cases of negligence rests on defendant.

—contributory negligence shall be proved.

This act was not vetoed nor approved by the Governor.

### Chapter 28.

An Act to Amend Section Sixty-nine of Chapter Sixty-six of the Revised Statutes, Relating to the Authority of Foreign Executors, Administrators, Guardians and Trustees.

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

Section 1. Section sixty-nine of chapter sixty-six of the Revised Statutes is hereby amended by inserting after the word "guardian" in the first line of said section the words 'conservator of the property of any person living out of the state,' and

Section 69, chapter 66, R. S., amended.