

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.

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

CHAP. 137

Steam-boats on inland waters.

Section 4. All vessels propelled by steam upon inland waters are subject to the following provisions; and before being so employed they shall be examined, and receive the certificate of the inspectors authorizing their employment. And all boats and vessels, propelled by gasoline, gas, petroleum in any form or electricity, and used for the transporting and carrying of passengers for hire upon the inland waters of this state, shall be subject to the provisions of this and the ten sections immediately following, excepting sections six and nine, and the application of said sections six and nine to this class of boats and vessels, shall be left to the discretion of the inspectors who may, if they deem it advisable, cause compliance with the same.'

Approved March 31, 1913.

Chapter 137.

An Act Additional to Chapter Eighty-four of the Revised Statutes, Relating to the Proceedings in Certain Civil Actions in Court.

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

Affidavit of plaintiff prima facie evidence

Section 1. In all actions brought on an itemized account annexed to the writ, the affidavit of the plaintiff, made before a notary public using a seal, that the account on which the action is brought is a true statement of the indebtedness existing between the parties to the suit, with all proper credits given, and that the prices or items charged therein are just and reasonable, shall be prima facie evidence of the truth of the statement made in such affidavit, and shall entitle the plaintiff to the judgment, unless rebutted by competent and sufficient evidence.

—unless rebutted.

When corporation is plaintiff.

Section 2. When the plaintiff is a corporation, in cases in which the provisions of the preceding section are applicable, the affidavit may be made by its president, secretary or treasurer.

Approved March 31, 1913.

Chapter 138.

An Act to Amend Sections Forty-one, Forty-two, Forty-three and Forty-four of Chapter Fifteen of the Revised Statutes, as Amended, Relating to the Employment of Superintendents of Towns Comprising School Unions.

Section 41 of chap. 15, R. S., as amended by chap. 101 of P. L. of 1907, as amended by chap. 122 of P. L. of 1909, further amended.

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

Section 1. Section forty-one of chapter fifteen of the revised statutes, as amended by chapter one hundred one of the public laws of nineteen hundred seven and as amended by chap-

ter one hundred twenty-two of the public laws of nineteen hundred nine, is hereby further amended by adding after the word "town" in the tenth line thereof the words 'including the minimum number of visits to be made each term to each school,' so that said section when amended shall read as follows:

'Section 41. The school committees of the towns comprising a union shall form a joint committee, and for the purposes of this section and the four following sections, said joint committee shall be held to be the agents of each town comprising the union. Said joint committee shall meet annually at a day and place agreed upon by the chairmen of the committees of the several towns comprising the union, and shall organize by the choice of a chairman and a secretary. They shall determine the relative amount of service to be performed by the superintendent in each town, including the minimum number of visits to be made each term to each school, fix his salary, apportion the amounts thereof to be paid by the several towns, which amounts shall be certified to the treasurers of said towns, respectively and to the state superintendent of schools, together with the amount apportioned to each town; provided that the amount so certified shall be in proportion to the amount of service performed in the several towns. They shall choose by ballot a superintendent of schools for a term not exceeding five years, but the period of such election shall not exceed that for which the union of towns has been authorized.'

Towns comprising a union shall form a joint committee.

—joint committee shall meet annually.

—shall choose a chairman and a secretary.

—duties.

—shall choose a superintendent.

Section 2. Paragraph one of section forty-two of chapter fifteen of the revised statutes as amended by chapter one hundred one of the public laws of nineteen hundred seven, as amended by chapter one hundred forty-six of the public laws of nineteen hundred nine as amended by chapter one hundred ninety-one of the public laws of nineteen hundred eleven is hereby further amended by striking out that part of said paragraph preceding the word "a" in the twelfth line thereof and substituting in place thereof the following: 'The chairman and secretary of said joint committee shall, upon the election of a superintendent of schools as provided by section forty-one of this chapter, certify under oath to the state superintendent of schools upon the forms prescribed by him all facts relative to said union and employment of a superintendent. Annually upon the first day of April and whenever a new superintendent is chosen said chairman and secretary shall make return of a similar certificate. Upon approval of said certificate the superintendent so employed shall on presentation of proper vouchers receive monthly out of the sum appropriated for superintend-

Paragraph 1 of sec. 42 of chap. 15, R. S., as amended, further amended.

CHAP. 138 ence of towns comprising school unions and out of any moneys in the treasury not otherwise appropriated,' so that said paragraph when amended shall read as follows:

Towns may provide for compensation of superintendent.

'Section 42. I. The chairman and secretary of said joint committee shall, upon the election of a superintendent of schools as provided by section forty-one of this chapter, certify under oath to the state superintendent of schools upon the forms prescribed by him all facts relative to said union and employment of a superintendent. Annually upon the first day of April and whenever a new superintendent is chosen said chairman and secretary shall make return of a similar certificate. Upon approval of said certificate the superintendent so employed shall on presentation of proper vouchers receive monthly out of the sum appropriated for superintendence of towns comprising school unions and out of any moneys in the treasury not otherwise appropriated a sum equal to twice the aggregate sum paid by the towns comprising the union, provided that the amount so paid for the benefit of a single union of towns shall not exceed eight hundred dollars in one year, and provided further that the annual appropriation for payments under this act shall be deducted from state school funds.'

—amount to be paid by towns and by state.

—proviso.

Section 43 of ch. 15, R. S., as amended, further amended.

Section 3. Section forty-three of chapter fifteen of the revised statutes, as amended by chapter one hundred one of the public laws of nineteen hundred seven, is hereby further amended by denominating said section as paragraph one and by adding to said section the following as paragraph two:

Conference of instruction shall be held.

'II. The state superintendent of schools shall annually hold a conference for the instruction of superintendents serving under the provisions of sections forty to forty-two inclusive of this chapter and he shall be authorized to expend not to exceed five hundred dollars out of the appropriation for the superintendence of towns comprising school unions to assist in defraying the mileage expenses of those superintendents who live remote from the place of such conference, but no superintendent shall be entitled to any part of such expenses unless he shall regularly attend all of its sessions.'

Section 44 of ch. 15, R. S., as amended, further amended.

Section 4. Section forty-four of chapter fifteen of the revised statutes, as amended by chapters one hundred twenty and one hundred twenty-two of the public laws of nineteen hundred nine is hereby further amended by adding after the word "union" in the sixth line thereof the words 'provided, however, that they may, without violation of the provisions of this section, perform such educational service outside of the towns of their unions as may be performed with the approval of the state

superintendent of schools and with the consent of the committees employing them,' so that said section when amended shall read as follows:

'Section 44. Persons employed to serve as superintendents of schools under section forty-one and section forty-two shall hold state certificates of superintendence grade which shall be issued upon such examination as may be prescribed by the state superintendent of public schools and they shall devote their entire time to superintendence, in the towns comprising the union, provided, however, that they may, without violation of the provisions of this section, perform such educational service outside of the towns of their unions as may be performed with the approval of the state superintendent of schools and with the consent of the committees employing them. The powers and duties of said superintendents shall be the same as those prescribed for town superintendents in this chapter.'

CHAP. 139

Qualifications of superintendents.

—proviso.

—powers and duties.

Approved March 31, 1913.

Chapter 139.

An Act Relating to the Fees Payable upon an Increase in the Capital Stock of Corporations Organized under Special Acts or under General Laws for the Performance of a Public Service.

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

Whenever any corporation created by special act of the legislature and charged with the performance of any public duty, or organized for any of the purposes enumerated in section five of chapter forty-seven of the revised statutes which are not subject to fees of a like kind to those herein provided, increases its capital stock, it shall pay to the treasurer of the state, for the use of the state, the fees hereinafter provided. When the capital stock is increased from five thousand dollars or less to not exceeding ten thousand dollars, the corporation shall pay the sum of twenty-five dollars. When the capital stock is increased from ten thousand dollars to not exceeding fifty thousand dollars, it shall pay the sum of fifty dollars. When the capital stock is increased from fifty thousand dollars to not exceeding one hundred thousand dollars, it shall pay the sum of one hundred dollars. When the capital stock is increased to any amount exceeding one hundred thousand dollars, it shall pay seventy-five dollars upon every one hundred thousand dollars, or fraction thereof, in excess of one hundred thousand, and the state treasurer's receipt for the same shall be filed with the secretary of state before he shall be authorized to receive

Fees for increase of capital stock of corporations included in this act.

—\$5000 to \$10,000.

—\$10,000 to \$50,000.

—\$50,000 to \$100,000.

—exceeding \$100,000.