

# 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  
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth  
Legislature

*1913*

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day of December, in the year of our Lord, nineteen hundred and thirteen, shall be suspended, and such corporation shall have no right to use the same. A charter so suspended may be revived by payment of all franchise taxes and expenses of advertising as aforesaid due from the corporation at the time of such payment. Any corporation where the charter shall have become suspended as aforesaid, shall continue liable for its yearly franchise tax, but while its charter is suspended as aforesaid, no notice relating to said franchise tax need be sent to the corporation by any state officer. The data covering the avoiding of said charter, to wit: the fact of the publication of the same and the dates thereof, and the avoidance of said charter by reason of such publication, and the failure to pay said overdue franchise tax as herein provided, shall be so entered upon the corporation records of the state and be certified by the secretary of state as evidence of the suspension of the charter of such corporation.

That the sum of nine hundred dollars be and hereby is appropriated to pay the expense thereof.

Section 2. Any person or persons who shall undertake to do business, or do business of any kind in behalf of any such corporation, or shall hold out such corporation as doing business, or shall sell, transfer or put upon the market any stocks or other evidence of indebtedness whatsoever of any such corporation while the charter remains suspended as herein provided, shall be subject to a fine of three hundred dollars for the benefit of the state.

Approved April 9, 1913.

## Chapter 187.

An Act to Amend Section Sixty-nine of Chapter Twenty-nine of the Revised Statutes, as Amended by Chapter Forty-one of the Public Laws of Nineteen Hundred Five, Relating to Non-feasance of Duty by Sheriffs, Deputy Sheriffs, and County Attorneys.

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

Section 1. Section sixty-nine of chapter twenty-nine of the revised statutes, as amended by chapter forty-one of the public laws of nineteen hundred five, is hereby further amended by adding after the word "year" in the fifteenth line thereof, the following:

'It shall be the duty of the attorney-general to take charge of all investigations before the grand jury in case of refusal or neglect of any sheriff, deputy sheriff or county attorney, to perform any of the duties required by this section, and in case

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—when charter shall be suspended if tax is not paid.

—charter, how revived.

Appropriation.

Penalty for use of suspended charter.

Section 69 of chapter 29, R. S., as amended by chapter 41 of P. L. of 1905, further amended.

## CHAP. 187

of the finding of an indictment, to conduct all subsequent proceedings in court in behalf of the state as prosecuting attorney. In all such prosecutions the attorney-general shall act in place of the county attorney, and is hereby invested with all the rights, powers and privileges of the county attorney for that purpose, the powers of the county attorney with respect to prosecutions under this section being hereby suspended;’ so that the said section as amended shall read as follows :

Special duties of sheriffs, deputies and county attorneys.

‘Section 69. Sheriffs and their deputies and county attorneys shall diligently and faithfully inquire into all violations of law, within their respective counties, and institute proceedings in case of violations or supposed violations of law, and particularly the law against illegal sale of intoxicating liquors, and the keeping of drinking houses and tippling shops, gambling houses or places, and houses of ill-fame, either by promptly entering a complaint before a magistrate and executing the warrants issued thereon, or by furnishing the county attorney promptly and without delay, with the names of alleged offenders, and of the witnesses. Any sheriff, deputy sheriff or county attorney, who shall wilfully or corruptly refuse or neglect to perform any of the duties required by this section, shall be punished by fine not exceeding one thousand dollars or by imprisonment not exceeding one year.

—penalty for refusal or neglect.

—when attorney general shall take charge of investigations before grand jury.

‘It shall be the duty of the attorney-general to take charge of all investigations before the grand jury in case of refusal or neglect of any sheriff, deputy sheriff or county attorney, to perform any of the duties required by this section, and in case of the finding of an indictment to conduct all subsequent proceedings in court in behalf of the state as prosecuting attorney. In all such prosecutions the attorney-general shall act in place of the county attorney, and is hereby invested with all the rights, powers and privileges of the county attorney for that purpose, the powers of the county attorney with respect to prosecutions under this section being hereby suspended.

—per diem for services.

‘For services under this section, sheriffs, and their deputies acting under their direction, shall receive the same per diem compensation, as for attendance on the supreme judicial court, the same fees for travel as for the service of warrants in criminal cases, together with such necessary incidental expenses as are just and proper; bills for which shall be audited by the county commissioners, and paid from the county treasury. But said commissioners shall not allow any per diem compensation to said sheriffs, or their deputies, for any day for which said sheriffs or their deputies are entitled to fees or compensation

for attendance at or service in any court. The provisions of this section as to compensation of sheriffs and their deputies, and the provisions of section five of chapter one hundred and seventeen shall not apply to the sheriff of Cumberland county, and his deputies acting under the provisions of this section.'

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—certain provisions do not apply to sheriff of Cumberland county.

Approved April 9, 1913.

**Chapter 188.**

An Act to Provide for the Preservation of Highways and Bridges.

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

Section 1. No traction engine, trailer, motor or other vehicle shall be operated upon or over a highway or bridge in this state, nor shall any object be moved over or upon a highway or bridge, upon wheels, rollers or otherwise, in excess of a total weight of nine tons, including vehicle, object or contrivance and load, without first obtaining a permit, mentioned in section three of this act, from the authority or authorities in charge of the maintenance or care of said highway or bridge; nor shall any vehicle be operated or contrivance moved upon or over said highways or bridges which has any flange, rib, clamp or other object attached to its wheels or made a part thereof, which will injure, cut into or destroy the surface of the highway or bridge, nor shall any such engine, vehicle, object or contrivance for moving heavy loads be operated or moved upon or over any highway or bridge the weight of which exceeds eight hundred pounds upon any inch in width of the tire, roller, wheel or other object without first obtaining said permit. The owner, driver, operator or mover of any such engine, vehicle, object or contrivance over said highway or bridge shall, unless relieved from liability in said permit, be responsible for all damage which said highway or bridge may sustain as a result of said action on his part, and the amount thereof may be recovered in an action on the case by the city, town or plantation, or in behalf of any unorganized township, by the county where the injury is done.

Weight of vehicle, etc., limited to nine tons.

—without a permit.

—wheels shall not have ribs, etc., which will injure surfaces.

—owners of vehicles liable for damages.

Section 2. No steam traction engine, with or without trailers, and no motor truck carrying a weight in excess of four tons, including the vehicle, shall be operated upon any highway or bridge at a rate of speed greater than fifteen miles an hour; and no such vehicle carrying a weight in excess of six tons, including the vehicle, shall be operated upon any highway or bridge at a rate of speed greater than six miles an hour when such vehicle is equipped with tires of hard rubber or other similar substance.

Rate of speed for heavy vehicles regulated.