

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

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being filed by them in accordance with the provisions of section one, the municipal officers of any city or town interested in the subject matter of said petition shall be notified by the Public Utilities Commission of the filing of such petition and given opportunity to appear thereon.'

CHAP. 326

Approved April 2, 1915.

Chapter 326.

An Act to Amend Section Seventeen of Chapter Eighty of the Revised Statutes, Relating to Authority of the County Commissioners of Cumberland County to Raise Money by Temporary Loans.

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

Section seventeen of chapter eighty of the Revised Statutes, as amended by chapter sixty-four of the Public Acts of nineteen hundred seven, is hereby amended by striking out all of said section and substituting therefor the following:

Ch. 80, Sec. 17, R. S., as amended, further amended.

'Section 17. The county commissioners of Cumberland and Kennebec counties may, without obtaining the consent of their respective counties, raise, by temporary loans to be paid within one year from the time when the same is contracted, sums not exceeding seventy-five thousand dollars and fifty thousand dollars respectively, in any year for use of their respective counties, and cause notes or obligations of their respective counties with coupons for lawful interest to be issued for payment thereof as aforesaid.'

County commissioners of Cumberland and Kennebec counties may raise money when necessary.—amount limited.

Approved April 2, 1915.

Chapter 327.

An Act Relative to the Employment of Minors.

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

Section 1. No child under fourteen years of age shall be employed, permitted or suffered to work in, about, or in connection with any manufacturing or mechanical establishment. No child under fourteen years of age shall be employed, permitted or suffered to work at any business or service for hire, whatever during the hours that the public schools of the town or city in which he resides are in session.

Employment of children under 14 years of age regulated.

Section 2. No minor between the ages of fourteen and sixteen years shall be employed, permitted or suffered to work in any of the aforementioned occupations unless the person, firm

Regulations for employment of minors be-

CHAP. 327

tween 14
and 16
years of
age.

—work per-
mit, by
whom
issued.

—when
issued.

or corporation employing such child procures and keeps on file accessible to any truant officer, factory inspector or other authorized officer charged with the enforcement of this act, a work permit issued to said child by the superintendent of schools of the city or town in which the child resides, or by some person authorized by him in writing. The person authorized to issue a work permit shall not issue such permit until such child has demonstrated his ability to read at sight and write simple sentences in the English language and perform simple arithmetical problems involving the fundamental processes of addition, subtraction, multiplication and division, such educational test to be prepared and furnished by the superintendent of schools or the school committee of each city and town in the State, or has furnished a certificate to that effect signed by any teacher in any of the public schools of the city or town in which such child resides, or by the principal of any approved private school; nor until he has received, examined, approved and filed satisfactory evidence of age showing that the child is fourteen years old or upwards which shall consist of a certified copy of the town clerk's record of the birth of said child, or a certified copy of his baptismal record, showing the date of his birth and place of baptism, or a passport showing the birth.

—may re-
quire phy-
sician's
certificate

The superintendent of schools, or the person authorized to issue such work permit may require, in doubtful cases, a certificate signed by a physician appointed by the school board, or, in case there is no school physician, from the medical officer of the board of health, stating that such child has been examined by him, and, in his opinion, has reached the normal development of a child of its age, and is in sufficiently sound health and physically able to perform the work which he intends to do. The State Factory Inspector, his deputy or agent, may require a similar certificate in doubtful cases, of the minors employed under a work permit.

—shall not
issue
permit.

A work permit when duly issued shall excuse such child from attendance at public school; but no person shall issue such permit to any minor then in or about to enter his employment or the employment of the firm or corporation of which he is a member, stockholder, officer or employee.

Vacation
permits.

Vacation permits shall be issued by the local superintendent of schools, or by some person authorized by him in writing, to minors between fourteen and sixteen years of age, on satisfaction of the same requirements, with the exception of the educational qualifications, as for the regular work permits, and shall entitle their holders to work during the summer school

vacation. These permits shall be void after the first Monday of September following. They shall be known as vacation permits, shall be of different color from the work permits and shall state plainly the date after which they are void.

The blank work permit and other papers required in this section shall be formulated by the Commissioner of Labor, and furnished by him to the persons authorized to issue work permits. Said forms shall be approved by the Attorney General.

Every work permit and every vacation permit shall be made out in duplicate. All duplicates, accompanied by the original papers on which such permits were issued, shall be forwarded to the Department of Labor and Industry, by the officer issuing same, between the first and tenth days of each month. Said department shall examine said papers and promptly return them to the officer who sent them. Said original papers upon which said permits were issued shall be filed by said officer and preserved for such time as said permits are outstanding, or until the minor arrives at the age of sixteen. They shall be at all times accessible to the Commissioner of Labor or any authorized agent of his department. Said officer shall return to said child all papers with him filed in proof of age, upon a surrender of the work permit. All permits thus surrendered shall be marked cancelled by the officer receiving them. Whenever there is reason to believe that a work permit was improperly issued the Commissioner of Labor and State Factory Inspector, his deputy or agent, shall notify the local superintendent of schools of the place in which said certificate was issued. The local superintendent shall cancel such permit when directed so to do by the Commissioner of Labor.

Blank employment certificates, to be formulated by the Commissioner of Labor, approved by the Attorney General, and supplied by the Department of Labor, shall be prepared by the employer of said child and mailed within twenty-four hours to the office of the Commissioner of Labor to be kept on file by him. When such child leaves such employment, the employer shall return to the child the work permit by him filed, and immediately notify the Commissioner of Labor that such child has left his employ.

Section 3. Any record of age, as provided under section two to determine whether or not a work permit may be issued to any child shall be received as evidence of the age of such child in any prosecution under this act.

Section 4. A work permit in regular form and signed by a duly authorized officer, for all minors between the ages of fourteen and sixteen years shall be conclusive evidence of age

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—shall be void, when.

—blank work permits, where obtained.

Duplicate permits shall be forwarded to Department of Labor and Industry.

—permits surrendered.

Cancellation of permits improperly issued.

Blank employment certificates shall be prepared.

—work permit to be returned.

—record of age shall be received as evidence.

—work permit shall be conclusive evidence.

CHAP. 327 and educational attainment in behalf of the employer of any child, upon any prosecution for violation of the provisions of the law relating to the employment of children. An inspector of factories, truant officer, or other officer charged with the enforcement of this act may make demand on any employer in or about whose place or establishment a minor apparently under the age of sixteen years is employed, permitted or suffered to work, that such employer shall either furnish him within ten days documentary evidence of age as specified in section two, or shall cease to employ, permit or suffer such child to work in such place or establishment.

Officers may demand documentary evidence of age.

Punishment of employer for violation of provisions of this act.

Section 5. Any person, firm or corporation, agent or manager of any firm or corporation, who, whether for himself or for some firm or corporation, or by himself, or through agents, servants or foremen; employs, permits or suffers any child to be employed, or to work in violation of any of the provisions of this act, or otherwise fails to comply with any of the provisions of this act, shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars.

Violation by parent, guardian, etc.

Any person having under his control as parent, guardian, custodian, or otherwise, any child, who permits or suffers such child to be employed or to work in violation of any of the provisions of this act, or who presents, permits or allows any child under his control to present to any employer, owner or superintendent, overseer or agent as required under section two any work permit containing any false statements as to the date of birth or age of such child, knowing them to be false, shall be punished by a fine of not less than ten dollars nor more than fifty dollars for each offense.

—penalty for.

Penalty for failure to perform duty.

Any person authorized to issue a work permit who shall knowingly fail to perform the duties of his office as required by the provisions of this act shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for each offense.

Penalty for testifying to false statements.

Whoever being authorized to sign the foregoing work permit, or whoever signing any certified copy of a town clerk's record of birth, or certified copy of a child's baptismal record, or a physician's certificate, shall knowingly testify to any false statement therein, shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for each offense.

Enforcements of penalties and fines.

Section 6. All fines or penalties provided for by the terms of this act may be recovered or enforced by complaint or indictment, and in all prosecutions under this chapter and amend-

ments and additions thereto, trial justices and judges of the municipal and police courts within their counties shall have by complaint original and concurrent jurisdiction with the Supreme Judicial and Superior courts. CHAP. 328

Section 7. All acts and parts of acts inconsistent herewith are hereby repealed. —Inconsistent acts repealed.

Section 8. This act shall take effect the first Monday of September, nineteen hundred fifteen. —take effect.

Approved April 2, 1915.

Chapter 328.

An Act in Relation to Certain Rights and Liabilities of Husband and Wife.

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

Section 1. If a husband, without just cause, deserts his wife, or if his wife, for just cause, is actually living apart from him, and if such desertion or living apart has continued for a period of at least one year next prior to the filing of the petition hereinafter referred to, the probate court may, upon her petition, or if she is insane, upon the petition of her guardian or next friend, enter a decree that such wife is so deserted or is so living apart and may prohibit the husband from imposing any restraint on her personal liberty during such time as such court shall by order direct, and upon the petition of either the husband or wife, or of the guardian or next friend of either who may be insane, may make further orders relative to the care, custody and maintenance of the minor children of the parties, may determine with which of their parents such children, or any of them, shall remain, may order the husband to pay to such court for the wife sufficient money for the prosecution of such petition and may from time to time, upon a similar petition, revise or alter any such order and make a new order in lieu thereof, as the circumstances of the parties or such minor children, or any of them, may require, and may enforce obedience by appropriate process.

Desertion of husband from wife.

—probate court may enter decree.

—provisions for children.

Section 2. If a wife, without just cause, deserts her husband, or if he is living apart from her for just cause, and if such desertion or living apart has continued for the period set out in section one, the probate court, may upon petition of the husband, or if he is insane, upon the petition of his guardian or next friend, enter a decree that such husband is so deserted or is so living apart, and such husband may thereafter convey

Desertion of wife from husband.

—probate court may give husband sole ownership of property.