

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the
Seventy-Seventh Legislature held in 1916.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Eighth Legislature

1917

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Chapter 276.

An Act to Provide for the Support of Families of Volunteers.

Emergency preamble. Whereas, suitable provision for the support of dependent members of families of soldiers and sailors in the service of the United States or of this state in the present condition of war is immediately necessary for the preservation of the public peace, health and safety;

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

Sec. 1. Towns to aid dependent families of soldiers; how money shall be expended; families of soldiers discharged for disability included. The cities, towns and plantations in this state shall raise money by taxation or otherwise, to be applied to aid in the support of the wife, aged, infirm and dependent father, mother, or other member of the household of which a soldier, sailor or marine is the head, and children under the age of fifteen years, being inhabitants of such city, town or plantation, of any soldier, sailor or marine, who may be actually in the military or naval service of the United States or of this state in any recognized company, battalion or regiment of the United States or of this state, or on board of any vessel of the United States during the present war, the money so raised to be expended under the direction of the municipal authorities of said cities, towns and plantations as herein prescribed; there shall be paid in money the sum of four dollars per week for a wife, aged, infirm and dependent father, mother or other member of the household and one dollar and fifty cents per week for each child, under the age of fifteen years, dependent upon such soldier, sailor or marine; provided, however, that the sum so paid shall not in any case exceed ten dollars per week for all the persons dependent on one soldier, sailor or marine, and such aid shall be furnished to such persons as are herein authorized to receive it belonging to the family of any such soldier, sailor or marine killed in battle or by the casualties of war; and such aid may, at the discretion of the municipal authorities be furnished to the persons herein authorized to receive it, belonging to the family of any such soldier, sailor or marine who may be discharged from the service in consequence of any disability resulting from the casualties of war and not from his own fault, or who may be disabled as aforesaid and discharged in consequence of the expiration of the time of service, for a period not exceeding one year after such death or discharge; provided, that in case of discharge he shall not sooner recover from such disability.

Sec. 2. Cases not provided for; additional appropriation authorized. The cities, towns and plantations in this state are hereby authorized and empowered to raise any additional sum or sums of money over and above the amount to be reimbursed by the state, by taxation or otherwise, to aid in the support of the dependent family of such soldier, sailor or marine in the service of the United States, or of this state, as set forth in the first section of this act, in order to provide such support as may be deemed necessary in cases not met or adequately provided for by the provisions of this act.

Sec. 3. Reimbursement by the state. The money so applied by any city, town or plantation, as authorized by the first section of this act, shall be reimbursed from the state treasury to such city, town or plantation.

Sec. 4. Towns to file certified accounts. No such reimbursement shall be made in any case, until an account of the expenditures, duly certified and sworn to by a majority of the proper municipal authorities of the city, town and plantation in the state, furnishing the aid as aforesaid, shall be made and filed with the governor and council, which account shall set forth the name of the soldier for whose family expense has been incurred, also the name, age and relationship of each person who received aid and the sum paid for each of said persons. Accounts thus made out and filed within the time hereinafter prescribed, shall be examined by the governor and council, and if found correct and duly vouched shall be approved.

Sec. 5. When accounts shall be made up and filed by municipal officers; fund available. Such accounts shall be made up to the first days of July and January in each year, and shall be filed with the governor and council on or before the first days of August and February following and shall be examined and passed upon within thirty days after the date of such filing. If approved, the amounts allowed shall be paid, upon warrants drawn by the governor against any moneys in the treasury not otherwise appropriated and especially the proceeds of bonds or notes authorized by this legislature for war purposes, by the state treasurer to the city, town or plantation whose claim has been thus established.

Sec. 6. Shall not be deemed paupers. No pauper disabilities shall be created by reason of receiving the aid provided for in this act.

Sec. 7. Unorganized townships; where aid may be received. The word plantation, when it occurs in this act, is intended to include plantations duly organized for any purpose, and any person entitled to the aid provided for in this act, who may reside in any unorganized township in this state, shall receive it in the nearest duly organized city, town or plantation in this state.

Sec. 8. Exceptions. This act shall not authorize reimbursing money applied to aid the wife, child, parent or dependent member of the household as aforesaid, of any commissioned officer in the military or naval service as aforesaid, or money applied to aid the family of any soldier, sailor or marine who may desert the service after notice of such desertion shall be received by the city, town or plantation of his residence.

Sec. 9. Governor and council may require persons to appear before them. The governor and council shall have power to send for persons and papers in order to ascertain the amount due to each city, town and plantation under this act.

Sec. 10. Failure of towns to comply; penalty. If any city, town or plantation, or the municipal officers thereof, shall neglect or refuse to comply with the provisions of this act according to its true intent and meaning, and to the satisfaction of the governor and council, such city, town or

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plantation, or the municipal officers thereof, as the case may be, shall forfeit and pay the sum of one hundred dollars, one half to the use of the aggrieved party and one half to the county where the cause is tried, to be recovered by an action on the case in any court proper to try the same.

Sec. 11. Aid not forfeited by temporary absence. Any one of the persons named in the first section of this act, as entitled to aid, who shall be temporarily absent from the state or town without abandoning residence therein, shall receive the aid herein specified, provided application shall be made therefor to the municipal officers of the city, town or plantation of their residence.

Sec. 12. Towns to be notified by adjutant general of cases of desertion; also of promotion of non-commissioned officers. It shall be the duty of the adjutant general to give notice in all cases of desertions, to the several cities, towns and plantations of the state, of each soldier, sailor or marine residing therein and also in all cases of return from desertion, and also when any non-commissioned officer or private shall be promoted to the rank of a commissioned officer, as soon as he shall receive the knowledge of such promotion, such notice being in each case a simple statement of fact.

Sec. 13. Secretary of state to furnish towns with attested copy. The secretary of state shall furnish an attested copy of this act to the municipal officers of the several cities, towns and plantations of the state, within twenty days after its approval by the governor.

Sec. 14. When effective. In view of the emergency expressed in the preamble hereof, this act shall take effect when approved.

Approved April 7, 1917.

Chapter 277.

An Act to Provide State Pay for Soldiers and Sailors in the Volunteer Service of the United States.

Emergency preamble. Whereas the pay allowed by the national government to enlisted men under existing laws and regulations is not sufficient to adequately recompense the volunteers and,

Whereas, increased pay for the soldiers and sailors enlisted in the National Guard of Maine or in the naval service of the United States is immediately necessary for the preservation of the public peace, health and safety in the present condition of war and until the pay allowed by the national government is increased,

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

Sec. 1. State to supplement pay of non-commissioned officers, soldiers and sailors; provisions. There shall be allowed and paid out of the treasury of the State of Maine to each non-commissioned officer, soldier, sailor