

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eightieth Legislature

OF THE

STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eightieth Legislature

1921

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CHAP. 221

chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, is hereby amended by inserting after the word "constructed" in the first line thereof the words 'on third class highways not under patrol maintenance' and by adding at the end of said section the following: 'Roads constructed on third class highways under patrol maintenance and roads constructed on second class highways under the provisions of this act shall be maintained in accordance with the provisions of sections eight, seventeen, twenty-six and twenty-seven of chapter twenty-five of the revised statutes,' so that said section, as amended, shall read as follows:

'Sec. 7. Third class highways not under patrol maintenance to be maintained by towns; third class highways under patrol maintenance and second class highways to be maintained in accordance with provision of R. S., c. 25, § 8, 17, 26 and 27. Roads constructed on third class highways not under patrol maintenance under the provisions of this act must be suitably maintained by the several towns under penalty of forfeiture of right of the town to receive the benefit of future apportionments under this act. A sum not to exceed twenty-five per cent of any year's apportionment to a town under the provisions of this act may be used for maintenance of road constructed under the provisions hereof. Roads constructed on third class highways under patrol maintenance and roads constructed on second class highways under the provisions of this act shall be maintained in accordance with the provisions of sections eight, seventeen, twenty-six and twenty-seven of chapter twenty-five of the revised statutes.'

Approved April 9, 1921.

Chapter 221.

An Act to Provide for a Sinking Fund for the War Bonds and Bonus Bonds Issued by the State of Maine.

Emergency preamble. Whereas, the state tax is assessed on April first of each year, and this act to create a war bond sinking fund provides that a one mill tax on all the property in the state shall be annually assessed for the purposes of said act, and whereas, it is necessary to assess said one mill tax on April first, nineteen hundred and twenty-one, and whereas, in the opinion of this legislature these facts constitute this act an emergency measure which is immediately necessary for the preservation of the public peace, health and safety, now therefore.

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

Sec. 1. War bond sinking fund created by assessment of a mill tax; proceeds to be used to pay interest on war bonds, to pay inter-

est on World War and Spanish War soldiers bonus bonds; to provide funds for sinking fund for World War and Spanish War soldiers bonus bonds; to pay pensions for soldiers and sailors and their dependents; to reimburse towns for aid furnished to soldiers' and sailors' dependents; balance to be set aside for retirement of war bonds. A tax of one mill on a dollar shall annually be assessed upon all the property in the state according to the value thereof, to be known as the War Bond Sinking Fund. The proceeds of this fund shall be used for the following purposes in the following order:

First: To pay the interest on all bonds issued under authority of chapter one hundred and eighty-seven of the public laws of nineteen hundred and seventeen.

Second: To pay the interest on all bonds issued or reissued under authority of chapter two hundred and sixty-four of the public laws of nineteen hundred and nineteen, as amended by chapter one hundred thirty-four of the public laws of nineteen hundred twenty-one, and on all bonds issued under authority of chapter one hundred eighty-nine of the public laws of nineteen hundred twenty-one.

Third: To provide the annual sum necessary for the sinking fund established by chapter two hundred and sixty-four, section six, of the public laws of nineteen hundred and nineteen, as amended by said chapter one hundred thirty-four of the public laws of nineteen hundred twenty-one, and for the sinking fund established by said chapter one hundred eighty-nine of the public laws of nineteen hundred twenty-one.

Fourth: To pay the pensions for soldiers and sailors, their widows and orphans, that have been or may be granted by the state, the amount to be determined by resolve of the legislature.

Fifth: To reimburse cities and towns for aid furnished dependents of soldiers, sailors and marines, under authority of chapter one hundred sixty-nine of the public laws of nineteen hundred nineteen, as amended by chapter one hundred eighty-three of the public laws of nineteen hundred twenty-one.

Sixth: Any balance of said tax remaining in the state treasury in any year shall be set aside as a special sinking fund to retire at maturity all bonds issued under the provisions of chapter one hundred and eighty-seven of the public laws of nineteen hundred and seventeen.

Sec. 2. How tax shall be assessed and collected. This tax shall be assessed and collected in the same manner as other state taxes, and be paid into the state treasury and designated as the sinking fund for the war bonds and bonus bonds.

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Sec. 3. Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 9, 1921.

Chapter 222.

An Act to Amend Chapter Two Hundred and Thirty-eight of the Public Laws of Nineteen Hundred and Nineteen, Relating to Workmen's Compensation.

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

Sec. 1. 1919, c. 238, § 1, par. VIII, sub-division (c) definition of the word dependents as used in connection with the Workmen's Compensation Act, amended. Sub-section eight of section one of chapter two hundred and thirty-eight of the public laws of nineteen hundred and nineteen is hereby amended by inserting after the word "all" in the first line of the final paragraph of said sub-section, the word 'other'; and by striking out the word "injury" in the third line and inserting in place thereof the word 'accident' and by striking out the words "in such other cases" in the third line thereof; and by striking out the word "any" in the seventh line and inserting in place thereof the word 'no,' so that said sub-section, as amended, shall read as follows:

'VIII. Inserts the word "other" after the word all in the first line of the last paragraph; changes the word "injury" to accident in the third line and provides for the manner of dividing the compensation when there is no one wholly dependent and more than one person partially dependent. "Dependents" shall mean members of the employee's family or next of kin, who are wholly or partly dependent upon the earnings of the employee for support at the time of the injury. The following persons shall be conclusively presumed to be wholly dependent for support upon a deceased employee:

(a) A wife upon a husband with whom she lives, or from whom she was living apart for a justifiable cause, or because he had deserted her or upon whom she is dependent at the time of the accident.

(b) A husband upon a wife with whom he lives, or upon whom he is dependent at the time of the accident.

(c) A child or children, including adopted and step-children under the age of eighteen years (or over said age, but physically or mentally incapacitated from earning) upon the parent with whom he is or they are living, or upon whom he is or they are dependent at the time of the death of said parent, there being no surviving dependent parent. In case there is more than one child thus dependent, the compensation shall be divided equally among them.