

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth and Eighty-seventh  
Legislatures

OF THE

STATE OF MAINE

From April 1, 1933, to April 6, 1935

AND MISCELLANEOUS STATE PAPERS

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Published by the Secretary of State, in conjunction  
with the Revisor of Statutes in accordance with the  
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1935

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Eighty-Seventh Legislature

**1935**

[supplied from page 201 of volume]

**CHAP. 138**

the main highways entering this state, not more than 6 stations or barracks whereat a suitable set of platform scales for the weighing of motor vehicles shall be established and maintained.

**Sec. 2. Operators of trucks.** The operator of any truck entering or leaving the state, or operating within the state, upon request or direction of any state highway police officer, shall drive such truck upon said scales and permit the weighing thereof together with its load.

**Sec. 3. Fees must be paid.** The driver or owner of such truck shall pay to the officer in charge of such station any deficiency, if any there may be, in the legal registration fee of such truck before it may be permitted to proceed.

**Sec. 4. Issuance of certificate.** Upon ascertainment that the proper registration fee for such truck has been paid, or the payment of any deficiency as hereinbefore provided, the officer in charge of such station shall give to the operator of the truck a clearance certificate in such form as may be prescribed by the chief of the state highway police.

**Sec. 5. Penalty for violation.** The operator or owner of any truck entering or leaving the state, or operating within the state, who refuses to permit the weighing of such truck, as aforesaid, shall be punished as provided in section 119 of chapter 29 of the revised statutes.

**Sec. 6. Appropriation.** For the establishment and maintenance of said stations, there shall be appropriated from the general highway fund the sum of \$8000 for the fiscal year ending June 30, 1936, and \$8000 for the fiscal year ending June 30, 1937.

Approved April 4, 1935.

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## Chapter 138.

### AN ACT Relating to Notary Publics Outside the State.

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

**R. S., c. 96, § 129, amended.** Section 129 of chapter 96 of the revised statutes is hereby amended to read as follows:

**'Sec. 129. Affidavit of plaintiff prima facie evidence.** 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. When the plaintiff is a corporation, the affidavit may be made by its president, secretary or treasurer. ~~If the said affidavit be made before a notary public using a seal without the state, his authority as a notary public to act and to administer an oath shall be certified thereto and the genuineness of his signature certified by a clerk of a court of record or by a deputy or assistant clerk of the same and have the seal of said court attached thereto. If the said affidavit be made before a notary public using a seal without the state a certificate of a clerk of a court of record or by a deputy or assistant clerk of the same with the seal of said court attached thereto stating that said notary public is duly authorized to act as such and to administer oaths shall be prima facie evidence of the authority of said notary public to act and to administer an oath and that the signature of said notary affixed thereto is genuine.'~~

Approved April 4, 1935.

## Chapter 139.

### AN ACT Relating to Applications for Licenses.

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

R. S., c. 29, additional. Chapter 29 of the revised statutes is hereby amended by adding thereto a new section to be known as section 33-A, and to read as follows:

'Sec. 33-A. Operators' licenses issued, only when poll tax has been paid. No person required by law to pay a poll tax in this state shall be granted an operator's license unless his poll tax for the previous year has been paid.

To facilitate the administration of this act, the secretary of state shall cause to be placed on the application blank for an operator's license the following question: "Have you paid your poll tax for the previous year?"'

Approved April 4, 1935.

## Chapter 140.

### AN ACT Relating to Deputy Sheriffs.

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

R. S., c. 94, amended. Section 12 of chapter 94 of the revised statutes is hereby repealed, and the following sections inserted in place thereof:

'Sec. 12. Sheriff to appoint chief deputy. Subject to the provisions of