

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
approved August 6, 1930 and April 2, 1931.

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PROPERTY OF THE
STATE OF MAINE
NOT TO BE SOLD

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

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of ~~sixteen~~ 17 years is brought before any court or magistrate for trial charged with any offense other than an offense punishable by imprisonment for life, the court may in its discretion continue such cause without trial from time to time, not exceeding 30 days at any one time, and release such child into the custody and control of the probation officer, who shall have authority to permit such child to remain in the home of such child if the same seems to him proper, or he may retain such child in his own custody, if the same can be done without expense to the county or the state. If at any time it seems to the court just and proper to discharge any such respondent without trial, the same may be done, and no child so discharged, nor any other person, shall have any right of action against any officer or other person on account of any of the proceedings in such case.'

Approved March 14, 1941

Chapter 69

AN ACT Relating to Expenses of Loans by Savings Banks.

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

R. S., c. 57, § 46, amended. Section 46 of chapter 57 of the revised statutes is hereby amended to read as follows:

'Sec. 46. No officer to receive gift, fee, or commission; penalty; borrower to pay expenses. No gift, fee, commission, or brokerage shall be received by any officer of a savings bank, on account of any transaction to which the bank is a party, under a penalty, for each offense, of \$100, to be recovered in an action of debt, in the name, and to the use of the state, provided, that nothing herein contained applies to any expenses of examining titles, and making conveyances upon loans made by savings banks. Parties making a loan from a savings bank shall pay all expenses incurred by reason thereof.'

Approved March 14, 1941

Chapter 70

AN ACT Clarifying the Law Relating to Notices of Appointments and Elections.

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

Sec. 1. R. S., c. 2, § 66, amended. Section 66 of chapter 2 of the revised statutes is hereby amended to read as follows:

Sec. 66. To prepare commissions, record qualifications, engross bills. ~~He~~ The secretary of state shall prepare and present to the governor and council under the seal of the state, in order that the same may receive the signature of the governor, a commission for every person appointed or a certificate of election to every person elected to any office for which a commission or certificate of election is required; enter in a suitable book the time when and the person by whom any commission or certificate of election is taken from his office, and the time when any certificate of the qualification of any officer is filed therein; provided, however, that when a duty must be paid as a prerequisite of holding the office, the secretary of state shall notify every person appointed to such office of the fact and on receipt of evidence of its payment shall then, and no sooner, present said commission or certificate to the governor and council. When the commission or certificate shall have been signed by the governor the secretary of state shall deliver or forward the same to the person so appointed or elected. He shall cause all bills passed by the legislature to be engrossed, under his special direction, for the use thereof.'

Sec. 2. R. S., c. 2, § 65, repealed. Section 65 of chapter 2 of the revised statutes is hereby repealed.

Sec. 3. R. S., c. 8, § 43, amended. The first 3 sentences of section 43 of chapter 8 of the revised statutes are hereby amended to read as follows:

'To determine the result of any election by ballot, the number of persons who voted shall first be ascertained by counting the whole number of separate ballots given in, which shall be distinctly stated, recorded, and returned. No person ineligible to the office shall be declared elected; but such votes shall be counted to determine whether any person has received the necessary number of all votes cast. In case of United States senators, representatives to congress, members of the legislature, and county and state officers, except where a different rule is prescribed in the constitution, the person or persons, not exceeding the number to be voted for at any one time for any such office, having the highest number of votes given at such election shall be declared elected, and the governor shall issue a certificate thereof in accordance with the provisions of section 66, of chapter 2 of the revised statutes.'

Sec. 4. R. S., c. 8, § 55, amended. The 4th sentence of section 55 of chapter 8 of the revised statutes is hereby amended to read as follows:

'The persons having the highest number of votes, not exceeding the number to be chosen, shall be declared elected; and ~~they shall be notified the~~ governor shall issue a certificate thereof ~~by the secretary of state in accordance with the provisions of section 66 of chapter 2 of the revised statutes,~~

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and enter upon the discharge of official duties on the 1st day of January thereafter.'

Approved March 14, 1941

Chapter 71

AN ACT Relating to Time of Filing Notice by Towns of Support Supplied Paupers.

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

P. L., 1933, c. 223, amended. That part designated 'Sec. 4-A' of chapter 223 of the public laws of 1933 is hereby amended to read as follows:

'Sec. 4-A. Towns must notify state when state paupers are assisted. When relief is provided for paupers and other dependent persons having no settlement within the state under the provisions of this chapter or any other provisions of law, the overseers of the poor of the city, town or plantation wherein such relief is provided shall give written notice within 90 days to the department of health and welfare upon such blanks as may be prescribed by the commissioner; and the state shall reimburse such city, town or plantation for the relief furnished to such an amount as the commissioner adjudges to have been necessarily expended therefor; provided, however, that in no case shall the state reimburse such city, town or plantation for any expense incurred in such case more than 90 days prior to the date of the receipt of the aforesaid notice by the said department unless it shall be proved to the satisfaction of the department that the said overseers were unable to determine the status of the paupers or other dependent persons until within 60 days of the date of the filing of their written notice. All claims for reimbursement in such cases shall be made up to and including the last day of each ~~regular quarter~~ month of the year, covering all bills for assistance furnished during that ~~quarter~~ month, and filed with the department of health and welfare within a reasonable time thereafter.'

Approved March 14, 1941

Chapter 72

AN ACT Relating to Dates for Inspection of Motor Vehicles.

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

P. L., 1939, c. 169, § 1, amended. The 2nd paragraph of section 1 of chapter 169 of the public laws of 1939 is hereby amended to read as follows: