

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-first and Ninety-second
Legislatures
OF THE
STATE OF MAINE

From April 10, 1943 to April 21, 1945
AND MISCELLANEOUS STATE PAPERS
From April 10, 1943 to May 24, 1945

Published by the Revisor of Statutes in accordance
with Chapter 10 of the Revised Statutes of 1944.

KENNEBEC JOURNAL
AUGUSTA, MAINE
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-second Legislature

1945

Provided, however, that the state highway commission, in respect to state and state aid highways and bridges within city or compact village limits, and municipal officers in respect to all other ways and bridges within such city and compact village limits, may grant permits to operate vehicles having a gross weight exceeding the limit of gross weight in this chapter prescribed, and all such permits may contain any special conditions or provisions which in the opinion of the grantors are necessary.

Provided, however, that during such period of the present emergency as the public utilities commission may authorize, jurisdiction is granted to it to issue to any person, firm, or corporation, emergency permits, upon proper application in writing, to operate motor vehicles, transporting petroleum products, having a weight greater than that specified in this chapter.

Effective July 21, 1945

Chapter 218

AN ACT Relating to Clerk Hire in the Office of Clerk of Courts, Cumberland County.

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

R. S., c. 79, § 269, amended. The 4th paragraph of section 269 of chapter 79 of the revised statutes, insofar as it relates to the annual amount to be paid for clerk hire in the office of clerk of courts in Cumberland county, is hereby amended to read as follows:

'for clerks in the office of clerk of courts, ~~\$6,124~~ \$9,404;'

Effective July 21, 1945

Chapter 219

AN ACT Relating to Culverts Crossing Under Roads, Streets and Ways.

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

R. S., c. 84, § 156, amended. Section 156 of chapter 84 of the revised statutes is hereby amended to read as follows:

Sec. 156. Towns may construct ditches, drains and culverts to drain highways; control; liability for damages; procedure. The municipal officers of a town may at the expense of the town construct ditches, ~~and~~ drains and culverts to carry water away from any highway or road therein, and over or through any lands of persons or corporations when they deem it necessary for public convenience or for the proper care of such highway or road, provided that no such ditch, ~~or~~ drain or culvert shall pass under or within 20 feet of any dwelling-house without the consent of the owner thereof. Such ditches, drains and culverts may be constructed under such highways or roads. Such ditches, ~~or~~ drains or culverts shall be under the control of said municipal officers and wilful interference therewith ~~shall~~ may be punished as is provided by statute for obstruction in a traveled road by a fine of not more than \$500, or by imprisonment for not more than 3 months, or by both such fine and imprisonment. If such town does not maintain and keep in repair such ditches, ~~and~~ drains and culverts, the owner or occupant of the lands through or over which they pass may have his action against the town for damages thereby sustained.

Before land is so taken, notice shall be given and damages assessed and paid therefor as is provided for the location of town ways.'

Effective July 21, 1945

Chapter 220

AN ACT Relating to the Payment of Taxes by Domestic Insurance Companies.

Emergency preamble. Whereas, the decision of the supreme court of the United States of June 5, 1944 in the United States v. Southeastern Underwriters Association, et al, 88 U. S. Law Ed. 1082, creates a reasonable doubt as to the obligation of domestic insurance companies to pay taxes on premiums and other taxes, fees or deposit requirements imposed by the laws of this and other states; and

Whereas, certain domestic companies, in order to properly protect their policyholders, officers and directors, may refuse to pay such taxes to this state unless protected against liability on account of such payment until the validity of said laws shall have been finally determined, and

Whereas, such non-payment may involve the state in protracted litigation and expense, and may impair the necessary revenues of the state, and