

# MAINE STATE LEGISLATURE

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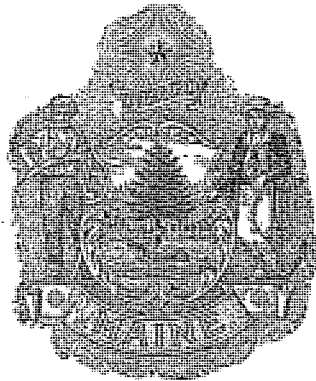
SIXTH REVISION

THE  
REVISED STATUTES

OF THE

STATE OF MAINE

PASSED SEPTEMBER 29, 1916, AND TAKING  
EFFECT JANUARY 1, 1917



By the Authority of the Legislature

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AUGUSTA  
KENNEBEC JOURNAL PRINT  
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# APPENDIX.

AN ACT TO PROVIDE FOR STATE AND COUNTY  
AID IN THE CONSTRUCTION OF  
HIGHWAY BRIDGES.

AN ACT RELATIVE TO THE HOURS OF EMPLOY-  
MENT OF WOMEN AND MINORS.

STATE OF MAINE.

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IN SENATE, September 29, 1916.

*Ordered*, the House concurring, that the Commissioner on Revision of the Statutes be directed to cause Chapter 319 of the Laws of 1915, entitled "An Act to Provide for State and County Aid in the Construction of Highway Bridges," and Chapter 350 of the Laws of 1915, entitled "An Act Relative to the Hours of Employment of Women and Minors," to be printed as an appendix to the volume of the Revised Statutes and included in the index.

IN SENATE CHAMBER, September 29, 1916.

Read and passed, sent down for concurrence.

W. E. LAWRY,  
*Secretary.*

IN HOUSE OF REPRESENTATIVES, September 29, 1916.

Read and passed in concurrence.

C. C. HARVEY,  
*Clerk.*

## APPENDIX.

### PUBLIC LAWS OF 1915, CHAPTER 319.

#### An Act to Provide for State and County Aid in the Construction of Highway Bridges.

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

**Section 1. Cost of construction of certain bridges in towns, apportioned.** When public convenience and necessity require the building or rebuilding of any bridge in any town or city, said bridge being located on any main thoroughfare and the cost of said construction together with all other moneys raised for the construction and repair of ways, highways and bridges in said town makes a tax rate in excess of five mills on the valuation of the town last made by the board of state assessors, the cost of the construction of said bridge shall be borne as follows: Fifty per centum by the town, thirty per centum by the county in which said town is located and twenty per centum by the state.

**Section 2. Petition to county commissioners and highway commission; plans; determination of public convenience and necessity.** When the municipal officers of any town deem that any bridge on any main thoroughfare must be built or rebuilt and in their judgment the expense of the construction will entitle the municipality to state and county aid as provided in section one of this act, they shall petition the commissioners of the county or counties in which said bridge is, or may be built or rebuilt and the state highway commission to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge; said petition to be accompanied by such plans of survey as may be directed to be made by the state highway commission. The said municipal officers together with the county commissioners and the state highway commission, shall constitute a board to determine the necessity of building or rebuilding said bridge, also the form of construction. The decision of said board or a majority thereof is to be final and conclusive.

The state highway commission shall appoint a time and place for the meeting of said board and give such notice thereof as they shall see fit.

**Section 3. Duties of state highway commission; approval of plans and specifications. Refusal of town or county to pay its share. Towns and counties authorized to raise money.** If the board shall decide that public convenience and necessity require the building or rebuilding of the bridge, it shall be the duty of the state highway commission to prepare plans, specifications and estimates of the cost of said construction and at a subsequent meeting of the board submit the same for approval. Upon approval of said plans and specifications by a majority of the board, the state highway commission shall proceed to let contracts for all work called for by said plans

and specifications as soon as the town or towns and the county or counties interested shall have paid into the state treasury their proportional shares of the estimated cost of the construction. In case any county or town unreasonably neglects or refuses to pay into the state treasury its proportional part of the estimated cost of construction which may be due and payable under the provisions of this act, then the state treasurer may out of any funds in the state treasury due said county or town pay such proportional part and deduct the amount so paid from any such sum in the state treasury due said county or town.

All counties and all towns are hereby authorized and required to raise by taxation or otherwise such reasonable sums as may be necessary to carry out the provisions of this act.

**Section 4. Supervision of construction by state highway commission; statement of cost; unexpended funds returned; overdraw provided for.** The state highway commission shall have supervision of all construction work and no payment shall be made on account of any of said work until the same has been approved by said state highway commission. On completion of any bridge the state highway commission shall render an itemized statement of the complete cost of the construction to the town or towns and the county or counties interested and to the state treasurer. If there remains unexpended balances of the moneys advanced by the town or towns and the county or counties they shall be immediately returned. If the cost of construction has exceeded the estimated cost, the town or towns and the county or counties interested shall forthwith, on receipt of said itemized statement, forward to the treasurer of state their proportional shares of such additional cost.

**Section 5. Application of sections 1-4; apportionment of cost in proportion to valuation.** All the foregoing provisions shall apply to either or all towns in the same county or to either or all towns in different counties, and to the county or counties when a bridge is to be built or rebuilt, which crosses the boundary line between said towns or between said towns and said counties and the proportion of the cost of construction which either town would legally bear under agreements or legislative enactments in effect January first, nineteen hundred seventeen, will in addition to the other highway taxes of the said town make a tax rate in excess of five mills. In such cases the municipal officers of each of said towns and the commissioners of each of said counties shall sit upon the board provided for in section two and all plans and specifications shall be approved by a majority of said board. Notice of complete cost of construction shall be forwarded to each town and each county interested. The proportional parts of the cost to be borne by the towns or by the counties under the provisions of section one of this act shall be apportioned between said towns and between said counties in proportion to their valuations last made by the board of state assessors, in absence of any legal agreement or legislative enactment in effect January one, nineteen hundred seventeen, regulating such division of cost.

**Section 6. Maintenance of bridges so built.** All cost of maintenance of bridges built or rebuilt under the provisions of this act shall be borne by the town or towns in which they are located, apportioned upon the basis of valuation as last made by the board of state assessors where more than

one town is involved; provided, however, that in case of neglect or failure by any town or towns to properly maintain any bridges built or rebuilt under the provisions of this act, the state highway commission may order such maintenance work as in their judgment is deemed necessary. If any town or towns fail to obey, within a reasonable time, such order of the state highway commission, then the commission may proceed to do such maintenance work and the amounts payable by said towns, under the provisions of this act, shall be certified by the commission to the state auditor, who, if he finds the amount correct shall certify to the treasurer of state, and unless sooner paid it shall be collected and paid in the same manner as any state tax against such town or towns, with interest at six per centum per annum from the date of the auditor's certification to the treasurer of state.

**Section 7. Existing contracts, judgments and decisions not affected.** Nothing contained in this act shall invalidate any existing contract, judgment or decision of any tribunal whereby any bridge is wholly or partly kept in repair or any money is contributed or to be contributed for the purpose of construction or maintenance of any bridge by any individual, firm or corporation.

**Section 8. Proceedings.** All legal proceedings necessary to carry out any of the foregoing provisions of this act shall be had under the general statute.

**Section 9. State not liable for damages.** The state shall not be liable to any person or corporation for damages arising from the construction or rebuilding, or improvement of any bridge built or rebuilt under the terms of this act. Nothing contained in this act shall be construed as affecting existing liability for the repair of any bridge or damages sustained by reason of neglect or want of repair of any bridge.

**Section 10. State highway commission may employ additional aid.** The state highway commission is hereby authorized and empowered to employ such additional aid as they may deem necessary to effectively carry out the work prescribed by this act and the payment of the same shall be from any moneys appropriated by the legislature for the purposes of this act.

**Section 11. Appropriation.** To meet the financial obligations of the state to be incurred under the provisions of this act there shall be appropriated annually to meet expenses of new construction the sum of one hundred thousand dollars.

**Section 12. Exceptions.** This act shall not be construed as applying to or including any interstate or international bridge or bridges.

**Section 13. Repeal of inconsistent acts.** All acts and parts of acts inconsistent with this act are hereby repealed.

**Section 14. Referendum; proclamation of result.** This act shall be referred at the next state election to the voters of the state and if approved by them shall take effect on the first Wednesday of December, nineteen hundred sixteen. At the said next state election the following question shall be printed upon the official ballot after the list of candidates, in accordance with section ten of chapter six of the revised statutes, as amended by chapter one hundred thirty-five of the public laws for nineteen hundred five: "Shall an act to provide for state and county aid in construction of highway bridges become a law?" The words, "yes" and "no" shall be printed upon

such ballot above the aforesaid question so as to leave a blank space above such question so as to give such voter a clear opportunity to designate by a cross mark (X) therein opposite to the word "yes" or "no" his answer to the question submitted. All warrants for such election shall show that said act is so submitted to the people for ratification and in all the election returns required by law the results shall be appropriately recorded. When said results are made and so returned to the office of the secretary of state, in like manner as votes for governor and members of the legislature, the governor and council shall count the same and proclamation of the result shall be made by the governor, and if it shall appear that a majority of the votes cast thereon are in favor of the ratification of the proposed law, this act shall thereupon take effect and become law on the first Wednesday of December, nineteen hundred sixteen.

Approved April 2, 1915.

Note.—The adoption of the foregoing act, by the voters of the state, was announced by proclamation of Governor Curtis dated September 28, 1916.

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## PUBLIC LAWS OF 1915, CHAPTER 350.

### An Act Relative to the Hours of Employment of Women and Minors.

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

**Section 1. Restrictions on hours of labor of women and minors.** No male minor under sixteen years of age, and no female shall be employed in any workshop, factory, manufacturing or mechanical establishment or laundry more than nine hours in any one day; except when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed fifty-four in a week.

**Section 2. Hours of labor for minors regulated.** No minor under sixteen years of age shall be employed or permitted to work in or in connection with any of the establishments or occupations named in section one of this act, before the hour of six-thirty o'clock in the morning or after the hour of six o'clock in the evening of any one day.

**Section 3. Employment in certain establishments regulated; exceptions.** No male minor under sixteen years of age and no female shall be employed in any telephone exchange employing more than three operators or in any mercantile establishment, store, restaurant, telegraph office or by any express or transportation company in the State of Maine more than fifty-four hours in any one week. The provisions of this section shall not apply between the seventeenth day of December and the twenty-fourth day of December both inclusive, and shall not apply during the eight days prior to Easter Sunday to persons employed in millinery shops or stores. In cases of emergency, in which there is danger to property, life, public safety or public health and in cases of extraordinary public requirement the provisions of this act shall not apply to employers engaged in public service.

**Section 4. Employment of women regulated; exceptions.** No female shall, except in cases of emergency or extraordinary public requirement as



provided in section three of this act, be employed or permitted to work for more than six hours continuously at one time in any establishment or occupation named in sections one and three of this act in which three or more such females are employed without an interval of at least one hour; except that such female may be so employed for not more than six and one-half hours continuously at one time if such employment ends not later than half-past one o'clock in the afternoon and if she is then dismissed for the remainder of the day.

**Section 5. Employer shall post notice of hours of labor; employment by shifts. Violations of law; cases of emergency or extraordinary public requirement.** Every employer except those hereinafter designated, shall post and keep posted in a conspicuous place in every room in any establishment or place of occupation named in sections one and three of this act in which females or male minors under sixteen years of age are employed, a printed notice stating the number of hours such females or male minors are required or permitted to work on each day of the week, the hours of beginning and ending, and the recess allowed for meals; provided, however, that every employer engaged in furnishing public service or in any other kind of business in respect to which the state department of labor and industry shall find that public necessity or convenience requires the employment of women or male minors as aforesaid by shifts during different periods or parts of the day shall post in a conspicuous place in every room in which such persons are employed, a printed notice stating separately the hours of employment for each shift or tour of duty, and the amount of time allowed for meals. The printed form of such notice shall be furnished by the commissioner of labor and industry and state factory inspector.

The employment of any such female or male minor for a longer time in any day than that stated in the printed notice, or, in case the hours named in such notice are less than as provided in sections one and three of this act, the employment of any such female or male minor for a longer time in any day than as provided in sections one and three of this act, shall be deemed a violation of the provisions of this section except in cases of emergency or extraordinary public requirement as provided in section three of this act, and in such cases no employment in excess of the hours authorized under the provisions of this act shall be considered as legalized until a written report of the day and hour of its occurrence and its duration is sent to the commissioner of labor and industry and state factory inspector. Whenever the nature of the business makes it impracticable to fix the recess allowed for meals at the same time for all females or male minors employed, the commissioner of labor and industry and state factory inspector may issue a permit dispensing with the posting of the hours when the recess allowed for meals begins and ends, and requiring only the posting of the total number of hours which females or male minors are required or permitted to work on each day of the week, and the hours of beginning and stopping such work. Such permit shall be kept by such employer upon such premises, and exhibited to the commissioner of labor and industry and state factory inspector, his deputy, or any authorized agent of the labor department, who is hereby authorized to enforce this act.

**Section 6. Employer shall keep time and record book, open to inspection; failure to keep record.** Every employer shall keep a time book or record for every female, and every male minor under sixteen years of age employed in any establishment or occupation named in sections one and three of this act, stating the number of occupation hours worked by each female and each male minor under sixteen years of age on each day of the week. Such time book or record shall be open at all reasonable hours to the inspection of the commissioner of labor and industry and state factory inspector, his deputy, or any authorized agent of the labor department. Any employer who fails to keep such record as required by this section or makes any false entry therein, or refuses to exhibit such time book or record, or makes any false statement to the commissioner of labor and industry and state factory inspector, his deputy or any authorized agent of the labor department, in reply to any question put in carrying out the provisions of this act shall be liable for a violation thereof.

**Section 7. Penalty for violation.** Any person who violates any of the provisions of this act shall upon conviction be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for the first offense; for the second offense by a fine of not less than fifty dollars nor more than two hundred dollars; for a third offense and every subsequent offense by a fine of not less than two hundred and fifty dollars nor more than five hundred dollars.

**Section 8. Exceptions.** Nothing in the seven preceding sections shall apply to any manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon to prevent decay thereof or damage thereto.

**Section 9. Recovery of fines or penalties.** All fines or penalties provided for by the term of this act may be recovered or enforced by complaint or indictment, and in all prosecution under this chapter and amendments and additions thereto, trial justices and judges of the municipal and police courts within their counties shall have by complaint original and concurrent jurisdiction with the supreme judicial and superior courts.

**Section 10. Repeal of inconsistent acts.** All acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 31, 1915.

Note.—The adoption of the foregoing act, by the voters of the state, was announced by proclamation of Governor Curtis dated September 28, 1916.