

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth  
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

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  
Resolves of the Legislature approved June 28, 1820,  
March 18, 1840, March 16, 1842 and Acts approved  
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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

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for the purpose of this statute, it shall be construed to mean members of the Caribou town council.

It shall not be necessary as provided by section 51 of chapter 5 that the moderator be elected before balloting commences for other officers. However, all balloting must be completed before other business is taken up by the annual town meeting.

Any person who has qualified as a candidate under section 41 cannot be disqualified under the provisions of section 43.

**Sec. 19. Referendum.** This act shall take effect when approved only for the purpose of permitting its acceptance or rejection by the legal voters of the town of Caribou at any annual or special town meeting by an article being inserted in the call for such meeting. Such vote shall be by secret ballot, and if a majority of the qualified voters of the town, present and voting, vote in favor of the acceptance of this act it shall become operative in the town at its next annual town meeting. The town clerk shall further file with the secretary of state a certificate of the action of the town thereon.

**Emergency clause.** In view of the emergency cited in the preamble this act shall take effect when approved as above provided.

Approved March 17, 1939.

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## Chapter 47

**AN ACT** Relating to the Probation Officer for the County of Cumberland.

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

P. & S. L., 1905, c. 346, amended. Chapter 346 of the private and special laws of 1905 is hereby amended by adding at the end thereof 2 new sections to be numbered section 10 and section 11 and to read as follows:

'Sec. 10. Execution of sentence at any term of court, or in vacation. The probation officer may bring any respondent placed in his custody by a justice of the superior court who has violated the terms of his probation before said court, at any term, civil or criminal, or in vacation, and any justice of said court upon being satisfied of the facts, may order the respondent to forthwith comply with the original sentence. If the cause had been continued for sentence, the justice of said court may, either in term or in vacation, impose sentence.'

'Sec. 11. Probation officer to be officer in all courts of the county. The

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probation officers provided for in this chapter shall serve as probation officers for all of the courts in the county of Cumberland. The judges of all the municipal courts in the county of Cumberland shall have the same powers and authority as are granted to the judge of the municipal court for the city of Portland by this chapter, excepting the power and authority to appoint and remove said probation officer and his assistants. Said probation officers shall perform the same duties and have the same authority concerning persons committed to their care by any of the municipal courts within said county of Cumberland as is granted to them over persons placed in their care by the judge of the municipal court for the city of Portland. The expenses necessary or expedient for the supervision of persons placed in the care of said probation officers by any of the courts except the municipal court for the city of Portland and the superior court and for the other additional duties required of them by this section, shall be paid out of the county treasury of the county of Cumberland upon approval by the county commissioners thereof, in addition to the expenses of said probation officers otherwise provided for by this chapter.

Approved March 24, 1939.

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## Chapter 48

### AN ACT to Provide for the Surrender by Concord Plantation of Its Organization.

**Emergency preamble.** Whereas, the tax rate of Concord Plantation has increased to the point where it is almost confiscatory, and

Whereas, it is impossible for the plantation to continue any longer as an organized plantation, and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as 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.** Organization of Concord Plantation may be surrendered. The organization of Concord Plantation in Somerset county as heretofore adopted is hereby surrendered; provided, however, that the corporate existence, powers, duties and liabilities of said plantation shall survive for the purpose of prosecuting and defending all pending suits and causes of suits to which said plantation is, or may be, a party and all needful process growing out of the same, including provisions for the payment of all or