

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

Published by the Secretary of State, agreeably to Resolves of June 28,
1820, February 18, 1840, and March 16, 1842.

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1903

PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

CHAP. 231

offense, and not more than two hundred dollars for each subsequent offense.

Proceedings
for violation
of this act.

Section 9. Whenever the directors of the Maine Agricultural Experiment Station becomes cognizant of the violation of any of the provisions of this act, he shall forthwith report such violation to the commissioner of agriculture, and said commissioner shall prosecute the party or parties thus reported. But there shall be no prosecution in relation to the quality of any concentrated commercial feeding stuff if the same shall be found in its constituent parts substantially equivalent to the certified statement named in section one of this act.

Chapter 334,
public laws
of 1897, and
other acts,
repealed.

Section 10. Chapter three hundred thirty-four of the public laws of eighteen hundred ninety-seven, and all other acts and parts of acts inconsistent with this act are hereby repealed.

Section 11. This act shall take effect June one, nineteen hundred and three.

Approved March 28, 1903.

Chapter 231.

An Act to amend Chapter three hundred and seventy-eight of the Public Laws of eighteen hundred and eighty-five, regulating the erection of posts and lines for purposes of Electricity.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 2 of
chapter 378,
public laws
of 1885,
amended.

Section 1. Section two of chapter three hundred seventy-eight of the public laws of eighteen hundred and eighty-five is hereby amended by striking out the first six lines thereof and inserting in place thereof the following: 'No such company, person or association shall construct lines upon and along highways and public roads, without first obtaining a written permit, signed by the mayor and aldermen in case of cities, the selectmen in case of towns, and the county commissioners in case of plantations and unorganized townships, specifying the kind of posts, where and how they shall be located and set, and the height of the wire above the ground; and if the line specified in the permit is a telephone line and is not constructed and public telephone service established in connection therewith within eighteen months from the time the decision is filed, the permit shall be void.'

--permit to
erect posts
must be
had from
municipal
officers.

Also by adding at the end of said section the following words: 'In case of plantations and unorganized townships any person or corporation interested may appeal from the decision of the county commissioners to the supreme judicial court in the manner pro-

--appeal
in case of
plantations,
etc.

vided in sections forty-eight, forty-nine, fifty and fifty-one of chapter eighteen of the revised statutes, relating to highways, and in case of cities and towns as follows: 'The decision of the mayor and aldermen or the selectmen shall be filed with the clerk of the city or town within one week from their final hearing: and within two weeks from such filing any person or corporation interested may appeal from their decision by filing notice of appeal with a copy of the original petition and adjudication with the clerk of the city or town and with the clerk of the board of county commissioners; the commissioners shall immediately entertain such appeal and give two weeks public notice in a county newspaper of the time and place of hearing, which time shall be within thirty days from the time such appeal is filed; such hearing may be adjourned from time to time, not exceeding thirty days in all, and the commissioners shall file their decision within thirty days from the time the hearing is closed, and transmit a copy of the same to the clerk of the city or town, who shall forthwith record it.'

--decision of mayor and aldermen or selectmen shall be filed.

Section 2. Said section is further amended to conform to section one of this act, so that said section as amended shall read as follows:

Section 2 of chapter 378, further amended.

'Section 2. No such company, person or association shall construct lines upon and along highways and public roads, without first obtaining a written permit, signed by the mayor and aldermen in case of cities, the selectmen in case of towns, and the county commissioners in case of plantations and unorganized townships, specifying the kind of posts, where and how they shall be located and set, and the height of the wire above the ground; and if the line specified in the permit is a telephone line and is not constructed and public telephone service established in connection therewith within eighteen months from the time the decision is filed, the permit shall be void. Before granting such permit, fourteen days' public notice thereof shall be given, and residents and owners of property upon the highways to be affected thereby, should have full opportunity to show cause why such permit should not be granted. Such public notice shall be given by publication in a county newspaper when the county commissioners are to act, and in some newspaper printed in such city or town, if any, the last publication to be fourteen days before said hearing; if in a town and no newspaper is printed therein, then by posting the same in some public and conspicuous place therein fourteen days before said hearing. When the application for such permit is filed, personal notice, if deemed necessary, may be ordered by such officers and shall be given by such company, persons or associations to the residents and owners of

Permit to erect posts must be had from municipal officers.

--14 days public notice required.

--notice, how given.

--personal notice may be given.

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property to be affected thereby. At the hearing such company, persons or associations, before proceeding, shall first prove that such order of notice has been complied with and public notice given as hereinbefore required, and the adjudication of the mayor and aldermen, selectmen or county commissioners that such personal and public notice has been given shall be final and conclusive. If from any cause the notice given appears to have been defective, said officers may order new notice, not exceeding seven days, and adjourn said hearing to a time named in said new order of notice. After the erection of the lines, having first given all persons interested an opportunity to be heard, such officers may direct any alteration in the original permit. Such permits, specifications and decisions shall be recorded in the records of the city, town or county commissioners. In case of plantations and unorganized townships any person or corporation interested may appeal from the decision of the county commissioners to the supreme judicial court in the manner provided in sections forty-eight, forty-nine, fifty and fifty-one of chapter eighteen of the revised statutes, relating to highways, and in case of cities and towns as follows: 'The decision of the mayor and aldermen or the selectmen shall be filed with the clerk of the city or town within one week from their final hearing; and within two weeks from such filing any person or corporation interested may appeal from their decision by filing notice of appeal with a copy of the original petition and adjudication with the clerk of the city or town and with the clerk of the board of county commissioners; the commissioners shall immediately entertain such appeal and give two weeks public notice in a county newspaper of the time and place of hearing, which time shall be within thirty days from the time such appeal is filed; such hearing may be adjourned from time to time, not exceeding thirty days in all, and the commissioners shall file their decision within thirty days from the time the hearing is closed, and transmit a copy of the same to the clerk of the city or town, who shall forthwith record it.'

—defective
notice.

—appeal
may be filed.

Section 3. This act shall take effect May one, nineteen hundred three.

Approved March 28, 1903.