

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE
OF THE
STATE OF MAINE
1905.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

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Rates of toll.

Section 2. The rates of toll at said ferry shall be as follows: Foot persons, five cents each; single teams and occupants, twenty-five cents for round trip; double teams, loaded or unloaded, forty cents for round trip; neat foot animals and horses, ten cents each one way; all other rates shall be as established by the county commissioners. All regulations now adopted by said commissioners for said ferry shall continue to govern during the life of this charter, and where said commissioners allow extra rates for ferrying in the evening, said Blackman shall be allowed the relative increase for such work. Said Blackman shall be liable for charging unauthorized rates in excess of those herein authorized, as provided by the revised statutes. For unreasonable neglect or delay in ferrying either passengers or freight, during the hours for said ferry to run as determined by said commissioners, there shall be a penalty of not more than fifty dollars, to be recovered by the party injured, in an action on the case. Should said Blackman become unfit to manage said ferry, or be guilty of gross violations of his duties as ferryman the said commissioners may have the power, upon complaint and hearing, to remove him whenever they deem such action necessary.

--penalty for neglect in ferrying.

--ferryman, how removed.

County commissioners shall have notice of intention to give up ferry.

Section 3. Should said Blackman desire to give up said ferry, and the rights herein granted, he shall give the county commissioners of said county three months' notice, in writing, of his intentions to do so, and said commissioners may then appoint a ferryman for said place.

No other ferry to be established, within certain limits.

Section 4. No other ferry shall be established on said river nearer than South Lincoln on the south and the Fleming ferry on the north, unless said county commissioners shall deem it necessary. Said Blackman shall give to the commissioners a bond for the fulfillment of his duties.

Approved March 21, 1905.

Chapter 346.

An Act to provide for the appointment of a Probation Officer for the county of Cumberland.

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

Appoint-ment of probation officer.

Section 1. The judge of the municipal court for the city of Portland shall appoint one person as probation officer, to be approved by the judge of the superior court for the county of Cumberland, who shall act under the direction of said courts. The terms of office of said officer shall be for the period of two years, or until removed by the judge of either

--tenure of officer.

of said courts. A record of said appointment and approval and of any such removal shall be made by the clerk of said superior court, and said clerk shall notify the county commissioners and the county treasurer of the county of Cumberland of the same.

Section 2. Said probation officer shall have and exercise all the powers of a truant officer, police officer, constable and deputy sheriff in criminal matters. He may also, without warrant or other process, take any person placed in his care by either of said courts at any time until such person is committed on mittimus in final execution of sentence and bring him before the court, or the court may issue a warrant for the rearrest of any such person; and the court may thereupon proceed to sentence, order mittimus to issue where it has been stayed or make any other lawful disposition of the case.

Powers and
duties of
probation
officer.

Section 3. The salary of said probation officer shall be one thousand dollars per year, payable monthly in equal instalments by the county treasurer of the county of Cumberland, upon warrants drawn by the county commissioners of said county.

Salary.

When a person has been placed on probation the court may direct and authorize the probation officer to expend for the temporary support of such person, or for his transportation, or for both such purposes such reasonable sum as the court shall consider expedient and any sums so expended, together with actual disbursements for necessary expenses made by said probation officer while in the performance of his duty, shall be reimbursed to him out of the county treasury of the county of Cumberland after approval by the recorder of said municipal court when said expenditure was made by order of the judge of said court, or, in his absence, the recorder, or when said duties were performed on account of said municipal court, and by the clerk of said superior court when the expenditure was made by order of the judge thereof, or when said duties were performed on account of said superior court, provided that said officer shall not be allowed in all for such disbursements, exclusive of said expenditures made by special order of said courts, a greater sum than three hundred dollars in any one year.

--expenses of
person placed
on probation.

--actual
expenses of
probation
officer.

Section 4. In case of the absence of said probation officer, the judge of said municipal court, or, in his absence, the recorder, or the judge of the superior court, as the case may be, may appoint a probation officer, pro tempore, to act during such absence, who shall have all the powers and perform all the duties of the probation officer and who shall receive as compensation for each day's service the sum of three dollars per day

Probation
officer
pro tempore.

--powers and
duties of.

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Probation officer shall obtain and furnish information relative to criminal offenses.

—any convicted person may be placed in care of probation officers.

Any person arrested for misdemeanor may apply for probation.

Shall keep full records.

to be paid by the county treasurer of the county of Cumberland; provided, that the compensation so paid for any excess over fourteen days' service in any one calendar year shall be deducted by said county treasurer from the salary of the probation officer.

Section 5. Said probation officer shall assist said courts by obtaining and furnishing information concerning previous arrests, convictions, imprisonments and other matters ordered by either of said courts relative to persons accused of criminal offenses, and by inquiring into the facts of every criminal case brought before said courts, and may recommend that any person convicted be placed upon probation. The case against any such convicted person may be continued for sentence, or sentence may be imposed and mittimus stayed for any period, and on any terms the court deems best. The court may place any person convicted by it in care of the probation officer for such time and upon such conditions as may seem proper. If the sentence is to pay a fine and to stand committed until the same is paid, the fine may be paid to said probation officer at any time during the period of probation and said probationer shall thereby be discharged. Said officer shall give a receipt for every fine so paid, shall keep a record of the same, shall pay the fine to the recorder or clerk of the court, as the case may be, within twenty-four hours after its receipt and shall keep on file the recorder's or clerk's receipt therefor.

Section 6. Any person arrested for a misdemeanor may make to the officer in charge of the place of custody in which he is confined a written statement, addressed to the judge of the municipal court, giving his name and address, what persons, if any, are dependent upon him for support, his place of employment, if any, and whether he has been arrested before within twelve months next preceding, together with a request to be released from custody. The officer who receives such statement shall endorse thereon the name of the arresting officer, and shall transmit said statement to the probation officer, who shall at once inquire as to the truth or falsity thereof, and into the record of said person as to previous offenses, and shall endorse thereon over his own signature for the use of the court the result of the investigation, and the court thereupon in its discretion may direct that such person be released from custody without arraignment. No officer making an arrest under the provisions of this section shall be liable for illegal arrest or imprisonment, if the person arrested shall be released from custody upon his own request, as herein provided.

Section 7. Said probation officer shall keep full records of all cases investigated by him, and of all cases placed in his care

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by said courts and of any other duties performed by him under this act, and shall so arrange, consolidate and index his records, that the complete record of all the offenses of any one person may be readily ascertained.

Section 8. Said probation officer shall give to the county commissioners of the county of Cumberland such information as they shall request regarding his work, and shall report to said commissioners on blanks or forms furnished by them such facts as they shall require regarding all cases brought before said courts and investigated by said officer, and regarding all cases of persons placed upon probation in his custody. Said commissioners shall keep a record of the same and incorporate said record in their annual report.

Shall report, on request, to county commissioners.

Section 9. This act shall take effect when approved.

Approved March 21, 1905.

Chapter 347.

An Act to close the tributaries of Big Concord Pond, in the Town of Woodstock, Oxford County.

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

It shall be unlawful to fish for, take, catch or kill any kind of fish at any time in any of the tributaries of Big Concord pond, situated in the town of Woodstock, in the county of Oxford, under the same penalty as is provided in the general law of the state for illegal fishing.

Close time for fishing in tributaries of Big Concord pond.

Approved March 21, 1905.

Chapter 348.

An Act to prevent the throwing of sawdust and other mill waste in Little Madawaska River and its tributaries in Aroostook County.

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

Section 1. No person, copartnership, or corporation shall place or allow to be placed, by any person employed by said person, copartnership or corporation, any saw mill or shingle mill refuse or waste in the Little Madawaska river in the county of Aroostook, or any of its tributaries, or on the bank or banks of said Little Madawaska river or its tributaries, in such manner that the same might fall or be washed into said river or its tributaries.

No mill waste to be placed in Little Madawaska river or tributaries thereof.