

# MAINE STATE LEGISLATURE

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# Acts and Resolves

As Passed by the

## Seventy-Eighth Legislature

OF THE

## STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the  
Seventy-Seventh Legislature held in 1916.

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Seventy-Eighth Legislature

**1917**

[supplied from page 1 of volume]

## Chapter 42.

An Act to Amend Section Twenty-seven of Chapter Nine of the Revised Statutes, Relating to Returns by Railroad Companies for Purposes of Taxation.

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

**R. S., c. 9, § 27, relating to tax on railroads, amended.** Section twenty-seven of chapter nine of the revised statutes is hereby amended by striking out in the fourth line of said section the words "thirtieth day of June" and substituting therefor 'thirty-first day of December,' so that said section as amended shall read as follows:

**'Sec. 27. Return to be made for year ending December 31st.** The amount of such annual excise tax shall be ascertained as follows: The amount of the gross transportation receipts as returned to the public utilities commission for the year ending on the thirty-first day of December preceding the levying of such tax, shall be divided by the number of miles of railroad operated, to ascertain the average gross receipts per mile; when such average receipts per mile do not exceed fifteen hundred dollars, the tax shall be equal to one-half of one per cent of the gross transportation receipts; when the average receipts per mile exceed fifteen hundred dollars and do not exceed nineteen hundred dollars, the tax shall be equal to three-quarters of one per cent of the gross receipts, and so on increasing the rate of tax one-quarter of one per cent for each additional four hundred dollars of average gross receipts per mile or fractional part thereof; provided, that the rate in no event exceed five and one-half per cent, and in case of railroads operated exclusively for the transportation of freight, said rate shall in no event exceed three per cent. When a railroad lies partly within and partly without the state, or is operated as a part of a line or system extending beyond the state, the tax shall be equal to the same proportion of the gross receipts in the state, as herein provided, and its amount shall be determined as follows: The gross transportation receipts of such railroad, line or system, as the case may be, over its whole extent, within and without the state, shall be divided by the total number of miles operated to obtain the average gross receipts per mile, and the gross receipts in the state shall be taken to be the average gross receipts per mile, multiplied by the number of miles operated within the state.'

Approved March 15, 1917.

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## Chapter 43.

An Act to Amend Section Seventy-six of Chapter Sixteen of the Revised Statutes, Relating to the Inspection of Secondary Schools.

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

**R. S., c. 16, § 76, relating to inspection of secondary schools, amended.** Section seventy-six of chapter sixteen of the revised statutes is hereby amended by striking out the words "two thousand two hundred" in the third and fourth lines thereof and substituting in place thereof the words 'four thousand' so that said section when amended shall read as follows:

## CHAP. 44

**'Sec. 76. State superintendent authorized to expend \$4,000.** All schools of secondary grade receiving state aid shall be inspected under the direction of the state superintendent of public schools, and for this purpose he shall be authorized to expend not to exceed four thousand dollars annually, which sum shall be paid from the state appropriation for the support of high schools; and he shall determine what schools are included in the classification of section seventy-three, what schools maintain the courses of study, what schools are entitled to state aid and what schools maintain approved courses for the reception of tuition scholars.'

Approved March 15, 1917.

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## Chapter 44.

An Act to Authorize the Public Utilities Commission to Investigate any Proposed Changes in the Rates of any Public Utility, and to Suspend the same Pending Investigation.

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

**Sec. 1. Public utilities commission may hold public hearing to investigate proposed change of rates by public utility. May suspend rate pending hearing.** Whenever the public utilities commission receives notice of any change or changes proposed to be made in any schedule of rates filed with said commission under the provisions of law it shall have power at any time before the effective date of such change or changes, either upon complaint or upon its own motion, and after reasonable notice, to hold a public hearing and make investigation as to the propriety of such proposed change or changes. At any such hearing involving any change or changes as above specified the burden of proof to show that such change is reasonable shall be upon the public utility. After such hearing and investigation the commission may make such order with reference to any new rate, joint rate, fare, rental, toll, classification, charge, rule, regulation or form of contract or agreement proposed as would be proper in a proceeding initiated upon complaint or upon motion of the commission in any rate investigation.

Pending such investigation and order the commission may at any time within said period preceding the effective date of any such schedule, by filing with such schedule and delivering to the public utility affected thereby a statement of its reasons for said suspension, suspend the operation of such schedule or any part thereof, but not for a longer period than three months from the date of said order of suspension; provided however, that if said investigation cannot be concluded within said period of three months said commission may in its discretion extend the time of suspension for a further period of three months; and provided further that nothing in this section contained shall apply to any schedule filed with the commission and proposing any change or changes in any new rate, joint rate, fare, rental, toll, classification, charge, rule, regulation or form of contract or agreement affecting the transportation of freight.

**Sec. 2. Proposed change in freight rates.** Whenever the public utilities commission receives notice of any change or changes proposed to be made