

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Ninth Legislature

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CHAP. 128

one of the public laws of nineteen hundred and seventeen; one hundred and eighteen, as amended by chapter sixty-five of the public laws of nineteen hundred and seventeen; and one hundred and nineteen of chapter sixteen of the revised statutes, are hereby repealed.

Approved March 29, 1919.

Chapter 128.

An Act to Amend Section Thirty-seven of Chapter Fifty-five of the Revised Statutes, Relating to Authorization of Issue of Stocks, Bonds and Notes by Public Utilities.

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

R. S., c. 55, § 37; relating to authorization of issue of stocks, bonds, etc., by public utilities, amended. The first sentence of section thirty-seven of chapter fifty-five of the revised statutes is hereby amended by adding after the word "obligations" in the tenth line thereof the following: 'or to reimburse its treasury for moneys used for the acquisition of property, the construction, completion, extension or improvement of its facilities, and which actually were expended from income or from other moneys in the treasury of the corporation not secured by or obtained from the issue of stocks, bonds, notes or other evidences of indebtedness of such corporation,' so that said section thirty-seven, as amended, shall read as follows:

'Sec. 37. May issue stocks, bonds, etc., to reimburse treasury for money used for acquisition of property, etc., actually expended from income or other moneys. Any public utility now organized and existing, and doing business in the state or hereafter incorporated under and by virtue of the laws of the State of Maine, may issue stocks, bonds, which may be secured by mortgages of its property, franchises or otherwise, notes or other evidences of indebtedness payable at periods of more than twelve months after the date thereof, when necessary for the acquisition of property to be used for the purpose of carrying out its corporate powers, the construction, completion, extension or improvement of its facilities, or for the improvement or maintenance of its service, or for the discharge or lawful refunding of its obligations, or to reimburse its treasury for moneys used for the acquisition of property, the construction, completion, extension or improvement of its facilities, and which actually were expended from income or from other moneys in the treasury of the corporation not secured by or obtained from the issue of stocks, bonds, notes or other evidences of indebtedness of such corporation, or for such other purposes as may be authorized by law; provided and not otherwise, that upon written application, setting forth such information as the commission may require, there shall have been secured from the commission an order authorizing such issue and the amount thereof and stating that in the opinion

of the commission the sum of the capital to be secured by the issue of said stocks, bonds, notes or other evidences of indebtedness is required in good faith for purposes enumerated in this section; but the provisions of this chapter shall not apply to any stocks or bonds or other evidences of indebtedness heretofore lawfully authorized and issued; provided, however, that the commission may at the request of any public utility approve the issue of any stocks or bonds heretofore authorized but not issued. For the purpose of enabling the commission to determine whether it shall issue such an order, the commission shall make such inquiries for investigation, hold such hearings and examine such witnesses, books, papers, documents or contracts as it may deem of importance in enabling it to reach a determination. No order of the commission authorizing the issue of any stocks, bonds, notes, or other evidences of indebtedness shall limit or restrict the powers of the commission in determining and fixing any rate, fare, toll, charge, classification, schedule, or joint rate as provided in this chapter; provided, however, that no public utility shall be required to apply to the commission for authority to issue stocks, bonds, notes or other evidences of indebtedness for the acquisition of property, for the purposes of carrying out its corporate powers, the construction, completion, extension or improvement of its facilities, or the improvement or maintenance of its service outside the state, and this proviso shall apply also to the following section.'

Approved March 29, 1919.

Chapter 129.

An Act to Amend Sections Eleven, Twenty-five and Twenty-six of Chapter Forty-one of the Revised Statutes, Relating to Itinerant Vendors.

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

Sec. 1. R. S., c. 41, § 11; relating to penalty for violation of itinerant vendor law, amended. Section eleven of chapter forty-one of the revised statutes is hereby amended by striking out the words "fifty" in the fourth line of said section and inserting in place thereof the words 'two hundred,' and also by striking out the word "sixty" in the said fourth line of the section and inserting in place thereof the word 'ninety', so that said section, as amended, shall read as follows:

'**Sec. 11. Penalty increased.** Every itinerant vendor who shall sell or expose for sale, at public or private sale, any goods, wares and merchandise without state and local licenses therefor, issued as hereinafter provided, shall be punished for each offense by fine not exceeding two hundred dollars or by imprisonment not exceeding ninety days, or by both such fine and imprisonment.'

Sec. 2. R. S., c. 41, § 25; relating to construction of term "itinerant vendor," amended. Section twenty-five of chapter forty-one of the revised