

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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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Ninth
Legislature

1919

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men, fire wards, fires and the prevention thereof, as are possessed or imposed upon towns.

Approved March 12, 1919.

Chapter 47.

An Act to Amend the Charter of the Lubec Water Company.

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

Sec. 1. P. & S. L., 1901, c. 489, § 1; granting to the town of Lubec the right to obtain a supply of pure water, amended. Section one of chapter four hundred and eighty-nine of the private and special laws of nineteen hundred and one is hereby amended by inserting after the word "town" in the eleventh line the following words: 'said town of Lubec, or the trustees hereinafter provided for in section two, are also hereby authorized and empowered to make, buy, generate, sell and distribute electricity for supplying the inhabitants of said town with light and heat for factories, hotels, dwellings, streets, roads and any and all places where illumination may be desired, and for this purpose to acquire, construct, own and maintain an electric lighting and power plant,' and by inserting after the word "purposes" in the last line of said section the following words: 'and to construct, lay, maintain and support lines of wire or other material for the transfer of electricity upon, under, along or over any and all streets or roads within the limits of said town, and for such purposes to erect, establish and maintain in and along said streets and roads all necessary poles, pipes and apparatus, provided that said structures are so constructed, established and maintained as not unnecessarily to interfere with the public use of said streets or roads,' so that said section, as amended, shall read as follows:

'Sec. 1. Authorized to establish electric plant for lighting and heating purposes. The town of Lubec, or the trustees hereinafter provided for, or any corporation of which either may obtain control, as provided in section two, either directly or through ownership of stock, are authorized and empowered to take water from Marston's spring, and any other spring or springs in the town of Lubec, from East stream in the town of Trescott, in the county of Washington, and from Orange river, in the town of Whiting, in said county of Washington, sufficient for domestic purposes in said town of Lubec, including a sufficient quantity for extinguishing fires, and the supply of hotels, livery stables, and laundries, and for sprinkling streets within said town, said town of Lubec or the trustees hereinafter provided for in section two, are also hereby authorized and empowered to make, buy, generate, sell and distribute electricity for supplying the inhabitants of said town with light and heat for factories, hotels,

dwelling, streets, roads and any and all places where illumination may be desired, and for this purpose to acquire, construct, own and maintain an electric lighting and power plant, and for the purposes aforesaid, to take and convey through the town of Lubec, and to all points thereof, any of the waters aforesaid by aqueduct or pipe sunk to any depth desirable for said purposes and to construct, lay, maintain and support lines of wire or other material for the transfer of electricity upon, under, along or over any and all streets and roads within the limits of said town, and for such purposes to erect, establish and maintain in and along said streets and roads all necessary poles, wires, pipe and apparatus, provided that said structures are so constructed, established and maintained as not unnecessarily to interfere with the public use of said streets or roads.'

Sec. 2. P. & S. L., 1901, c. 489; relating to contracts for purchase of water works system, amended. Section two of said act is hereby amended by inserting after the words "water works" in the third line the words 'electric lighting and power plant,' so that said section, as amended, shall read as follows:

'**Sec. 2. Electric lighting and power plant included.** The town of Lubec, or said trustees, may make any necessary contract with any person or corporation for acquiring the ownership of a system of water works and electric lighting and power plant within said town, whereby the town, or said trustees, may be entitled to purchase the whole at one time, or to purchase the same in installments through a period of years.'

Sec. 3. P. & S. L., 1901, c. 489, § 5; relating to contract for construction of water works system, amended. Section five of said act is hereby amended by inserting after the word "taken" in the seventh line the words 'and to construct an electric lighting and power plant, erect necessary poles, pipes, wires and necessary apparatus for the transmission of electricity,' and said section is further amended by inserting after the word "aqueduct" in the eighth line the words 'or electric lighting and power plant, poles, wires and apparatus', so that said section, as amended, shall read as follows:

'**Sec. 5. Electric lighting and power plant included.** The town of Lubec, or said trustees, or any corporation of which either may obtain control, as provided in section two, either directly or through ownership of stock are authorized and empowered to contract with any person or corporation to construct aqueducts, pipes, dams, reservoirs, locks, gates, hydrants, and other necessary structures upon land so taken and to construct an electric lighting and power plant, erect necessary poles, pipes, wires, and necessary apparatus for the transmission of electricity, as hereinbefore prescribed. Any such corporation organized to construct any such aqueduct or electric

lighting and power plant, poles, pipes, wires and apparatus, is empowered to place all or any part of its capital stock in the name of a trustee, or trustees, and to contract that said trustee or trustees may sell and deliver the same to the town in installments, from year to year, as may be agreed upon.'

Sec. 4. P. & S. L., 1901, c. 489, § 6; relating to election of commissioners, amended. Section six of said act as amended by chapter two hundred and twenty-four, laws of nineteen hundred and three, is hereby further amended as follows: By inserting after the word "waterworks" in the fifth line the words 'and electric lighting and power plant' also by inserting after the word "water" in the sixth line the words 'and electric light' also by inserting after the word "water" in line ten the words 'and electric light' also by inserting after the word "water" in line eleven the words 'and electric light,' also by inserting after the word "water" in line thirteen the words 'and electric light' also by inserting after the word "waterworks" in the seventeenth line the words 'and electric light' so that said section, as amended, shall read as follows:

'Sec. 6. Made to include electric light and power plant. For the purpose of carrying into effect the provisions of this act, the town of Lubec, at a meeting duly called therefor, may, as soon as the town comes into ownership, control or management of a system of waterworks and electric lighting and power plant, by building, purchase or otherwise, elect by ballot three water and electric light commissioners, the three first chosen as aforesaid, shall serve, one for one year, one for two years, one for three years, and thereafterwards one commissioner shall be elected annually in the month of March to serve for a term of three years. Said commissioners are authorized to fix the water and electric light rates and determine the conditions and manner of the water and electric light supply and shall have the general control and management of the water and electric light systems owned by the town. The above commissioners, with such additional commissioners as the town, may from time to time, elect, shall apply the surplus funds arising from said system solely for the purpose of liquidation of the water works and electric light loan. They shall receive such compensation for their services as may be fixed by the town.'

Sec. 5. P. & S. L., 1901, c. 489, § 9; relating to transfer of franchise to be held in trust, amended. Section nine of said act is hereby amended by inserting after the words "water works" in the fifth line the words 'and electric lighting and power plant' and by adding to the word "system" in the eighth line the letter 's' and further by adding to the words "water works" in the last line of said section the words 'and electric lighting and power plant,' so that said section, as amended, shall read as follows:

'Sec. 9. Made to include electric light and power plant. Said town of Lubec may transfer its franchise herein granted to any person, or persons, or corporation by vote of the town at a legal meeting called for that purpose to hold in trust for the benefit of said town, said trustee shall thereupon proceed to construct a system of water works and electric lighting and power plant in said town for the benefit of said town according to the provisions of this act, and said trustee, or trustees may contract with any person, or persons, or corporation, to construct said systems, said trustee being entitled to receive the net profits of said property, with a certain sum to be voted by the town annually to be applied to the principal cost of construction and interest thereon and all bonds thus paid by the town shall be sold and transferred by said trustee to said town discharged of said trust. Such trustee with the consent of the town, may also create or hold security on said property, rights, privileges and franchises for money advanced by said trustee or any person or corporation in constructing said system of water works and electric lighting and power plant.'

Sec. 6. P. & S. L., 1901, c. 489, § 10; relating to issuance of bonds, amended. Section ten of said act is hereby amended by inserting after the word "water" in the last line thereof the words 'and electric light,' so that said section, as amended, shall read as follows:

'Sec. 10. Bonds to be designated "The Lubec Water and Electric Light Loan." For the purpose of raising money to carry out the provisions of this act said town of Lubec may issue bonds, registered or with interest coupons, under the direction of the inhabitants thereof at a legal meeting called therefor, to an amount which, taken in connection with other indebtedness of said town, will not exceed the amount limited by the constitution of Maine. Said bonds and coupons to be signed by the treasurer of said town and shall be designated "The Lubec Water and Electric Light Loan."'

Sec. 7. P. & S. L., 1901, c. 489, § 11; relating to rates for service, amended. Section eleven of said act is hereby amended as follows: By inserting after the word "water" in the first line the words 'electric lights and power,' so that said section, as amended, shall read as follows:

'Sec. 11. Rates for electric lights and power included. The rates for supplying water, electric lights and power under this act shall be fixed so that all expense for repairs and management shall be paid annually with interest.'

Sec. 8. Existing statutes continued in force; transmission of electric current beyond state prohibited. Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions

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of chapter fifty-five of the revised statutes; but it shall be unlawful for said corporation to transmit electric current for sale or use beyond the limits of this state, or to contract with any person or corporation for the transmission or sale of electric current beyond the limits of this state and said corporation shall not be permitted to acquire in any manner the franchises of, or consolidate with or transfer or lease its property, rights and franchises to any other corporation or person now transmitting or having the right to transmit electric power beyond the confines of the state without express authority of the legislature.

Approved March 12, 1919.

Chapter 48.

An Act to Establish the Northern Cumberland Municipal Court.

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

Sec. 1. Name and territorial jurisdiction; judge to be resident of district. There shall be, and hereby is, established a municipal court in, and for, the towns of Bridgton, Harrison, Otisfield, Casco, Naples and Sebago, in the county of Cumberland and State of Maine, said towns constituting a municipal district to be denominated as the "Northern Cumberland Municipal Court," which shall be a court of record and have a seal; to consist of one judge, who shall be an attorney at law in good standing, who shall be appointed in accordance with the constitution of the state, and said judge shall be a resident of said municipal district at the time of his appointment and during his continuance in office.

Sec. 2. Recorder, appointment, tenure and duties. A recorder shall be appointed by the governor, with the consent of the council, and upon the recommendation of the judge for the term of four years, who shall keep the records of the court when requested so to do by the judge; and in case of absence from the court room of said judge, or when the office of judge is vacant, the said recorder shall have and exercise all of the powers of the judge and perform all duties required of the judge by this act, and shall be empowered to sign and issue all papers and processes, and to do all acts as fully and with the same effect as the judge could do if he were acting in the premises; and the signature of the recorder shall be sufficient evidence of his right to act instead of the judge. He shall be ex-officio a justice of the peace throughout the state.

Sec. 3. Jurisdiction, civil and criminal. Said court shall have original jurisdiction concurrent with trial justices in all such civil and criminal matters within the county of Cumberland as are by law within the jurisdiction of trial justices within said county, including the right to renew