

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

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.

KENNEBEC JOURNAL PRINT SHOP
AUGUSTA, MAINE

1925

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Second
Legislature

1925

CHAP. 56

amended. Section three of chapter three hundred and forty-six of the private and special laws of nineteen hundred and five, as amended by chapter twenty-seven of the private and special laws of nineteen hundred and fifteen, as amended by chapter one hundred and four of the private and special laws of nineteen hundred and nineteen, as amended by chapter one hundred and fifty-three of the private and special laws of nineteen hundred and twenty-one, is hereby further amended by striking out the word "fifteen" in the second line thereof and inserting in place thereof the word 'seventeen,' and by striking out the words "one thousand" in the sixth line thereof and inserting in place thereof the words 'thirteen hundred,' so that said section, as amended, shall read as follows:

'Sec. 3. Salaries of probation officer and assistant, increased. The salary of said probation officer shall be seventeen hundred 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. The salary of said assistant probation officer shall be thirteen hundred dollars per year, payable monthly in equal instalments by the county treasurer under the same conditions as is provided for the payment of the salary of the probation officer.

'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 of 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.'

Approved March 27, 1925.

Chapter 56.

An Act to Incorporate the Central Heating Company of Portland.

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

Sec. 1. Corporators; purposes; incidental powers granted. James C.

Boyd, David E. Moulton, Norman True, Ernest L. Small, H. Herbert Sturgis, Rex Dodge, Lyman B. Chipman, William L. Blake and Charles R. Nelson, with their associates and successors, be and are hereby made a corporation under the name of the Central Heating Company of Portland, for the purposes of furnishing steam or hot water for heat and other purposes in the city of Portland; and as such corporation shall possess all the powers and privileges and be subject to all the liabilities and obligations imposed upon corporations by law except as herein otherwise provided. All incidental powers, rights and privileges necessary to the accomplishment of the main objects herein set forth are granted to the corporation hereby created.

Sec. 2. Location. The place of business of said corporation shall be at Portland in the county of Cumberland and state of Maine.

Sec. 3. Authority to lay pipes, conduits, etc., in city streets of Portland; procedure where railroad tracks are crossed. The said corporation is hereby authorized to lay, construct and maintain in, under, through, along, over and across streets, courts, and alleys in the said city of Portland, and to take up, replace, and repair, all such conduits, pipes, and other appliances as may be found necessary and convenient for the conveyance and distribution of steam or hot water for heating and other purposes, under such reasonable restrictions and conditions as the municipal officers of said city may impose; and in case of the crossing of any railroad, unless consent is given by the Company owning or operating such railroad as to the place, manner and conditions of the crossing within thirty days after such consent is requested by said heating company, the public utilities commission shall determine the place, manner, and conditions of all such crossings and all work done within the limits of such railroad location shall be done under the supervision and to the satisfaction of such railroad company, but at the expense of said heating company; and the said corporation shall be responsible for all damage to the said city and to all persons and property occasioned by such use of the ways and streets in said city. Whenever the said corporation shall lay down or construct any pipe or fixtures in any way or street or make any alterations or repairs upon its works in any way or street it shall cause the same to be done with as little obstruction to public travel as may be practicable and it shall at its own expense, without unnecessary delay cause the earth and pavement then removed by it, to be replaced in proper condition.

Sec. 4. Authorized to contract with federal, state, county and municipal governments. The said corporation is hereby authorized to make contracts with the United States, the state of Maine, the county of Cumberland, the city of Portland and with the inhabitants thereof or any corpora-

CHAP. 56

tion doing business therein for the supply of steam or hot water for heat and other purposes of its incorporation and such persons and corporations and the said state of Maine, county of Cumberland and city of Portland by their proper officers are hereby authorized to enter into any contract with the said corporation for such supply of steam or hot water as they may deem expedient, and said contracts shall be legal and binding upon all parties thereto.

Sec. 5. Authorized to erect buildings. The said corporation is hereby authorized for the purposes of its incorporation to erect and maintain all buildings and structures necessary and convenient for its corporate purposes.

Sec. 6. Authorized to purchase or lease buildings from any utility in Portland. The said heating company is hereby authorized to lease or purchase from any utility now doing business in said city of Portland, any real estate, buildings, structures or equipment useful in carrying out the purposes of its incorporation, and any such utility is hereby authorized to sell or lease the same to the said heating company on terms and prices to be fixed and agreed upon by the two interested corporations, subject to the approval of the public utilities commission.

Sec. 7. Capital stock, common and preferred. The capital stock of the said corporation shall consist of five thousand shares of common stock of no par value, and five thousand shares of preferred stock of the par value of one hundred dollars per share, which shall have such preference as the corporation may provide by its by-laws and each class of stock shall have and exercise such other rights and privileges, and be subject to such restrictions as the said by-laws may prescribe.

Sec. 8. May issue bonds subject to approval of public utilities commission. The said corporation, subject to the approval of the public utilities commission may issue its bonds of any and all kinds upon such rates and times as it may deem expedient, to an amount not exceeding its capital stock subscribed for and secure the same by mortgage of its franchises and property.

Sec. 9. First meeting how called; adoption of by-laws. The first meeting of the corporation shall be called by written notice therefor, signed by any one of the named incorporators, served upon each named incorporator by giving him the same in hand, or by leaving the same at his last and usual place of abode or by mailing the same to his last known address, postage prepaid, at least seven days before the time of meeting, and due certificate under oath of such service or mailing shall be deemed to be conclusive proof thereof. A majority of the incorporators named shall

be sufficient to effect organization of the corporation. At such meeting or any adjournment thereof the said incorporators may adopt by-laws for the government of said corporation and carrying out its purposes, not inconsistent with the laws of this state.

Sec. 10. Existing statutes not affected; rights conferred subject to R. S., c. 55. Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute and all of the rights and duties herein mentioned shall be exercised and performed in accordance with all of the provisions of chapter fifty-five, of the revised statutes, and acts amendatory thereof and additional thereto, the said corporation being hereby expressly declared to be a public utility and subject to the provisions of said chapter.

Approved March 27, 1925.

Chapter 57.

An Act to Amend Chapter Eighteen of the Private and Special Laws of Nineteen Hundred and Nineteen, Entitled "An Act to Incorporate the Wesserunsett Stream Dam and Improvement Company."

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

P. & S. L., 1919, c. 18, sec. 2; relating to corporate rights of Wesserunsett Stream Dam and Improvement Co., amended. Section two of chapter eighteen of the private and special laws of nineteen hundred and nineteen is hereby amended by inserting after the words "in Wesserunsett Stream" in the third line thereof the words 'and its tributaries, all,' and after the words "in the Town of Athens" in the fifth line thereof, the words 'and at the outlet of Smith Pond, so-called, and at the outlet of Wyman Pond, so-called, both said ponds being in Brighton Plantation, in said county of Somerset, and also at the outlet of all other ponds and lakes, the streams flowing out of which are tributary to said Wesserunsett Stream or its tributaries,' and after the words "of said Stream" in the fifth line thereof, the words 'or its tributaries,' so that said section, as amended, shall read as follows:

'Sec. 2. Authority to build dams, etc., on certain other streams tributary to Wesserunsett stream. Said corporation is authorized to build dams, side dams, remove rocks and make all other necessary improvements in Wesserunsett Stream and its tributaries all in the county of Somerset, including the east and west branches of said stream entering the same above the village of Athens in the town of Athens, and at the outlet of Smith Pond, so-called, and at the outlet of Wyman Pond, so-called, both said ponds being in Brighton Plantation, in said County of Somerset, and