

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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 COMPANY
AUGUSTA, MAINE

1929

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-fourth Legislature

1929

[supplied from page 1 of volume]

Chapter 263.

An Act Granting the Right of Eminent Domain to Electric Power Companies Doing a Public Utility Business.

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

Sec. 1. Right of eminent domain granted to electric power companies. Corporations organized under the provision of section three of chapter sixty of the revised statutes and corporations chartered by special acts of the legislature for the purpose of making, generating, selling, distributing and supplying electricity for lighting, heating, or other public purposes are hereby authorized and empowered to take and hold by right of eminent domain such lands and easements as may be necessary for the proper location of their transmission lines which are designed to carry voltages of five thousand volts or more and of necessary appurtenances thereto, located within the territory in which said corporations are authorized to do a public utility business, in the same manner and under the same conditions as set forth in chapter sixty-one, sections eleven to twenty-two, of the revised statutes and amendments thereto.

Sec. 2. Exceptions to application of rights. This right shall not apply to lands or easements located within three hundred feet of an inhabited dwelling, nor to lands and easements on or adjacent to any developed or undeveloped water power, nor to lands or easements so closely paralleling existing wire lines of other utility corporations that the proposed transmission lines would substantially interfere with service rendered over said existing lines except with the consent of the owners thereof, nor to lands and easements owned or used by railroad corporations.

Sec. 3. Location to be approved by public utilities commission. Any location to be so taken for such transmission lines shall be approved by the public utilities commission.

Approved April 9, 1929.

Chapter 264.

An Act Fixing Trial Terms of the Superior Court.

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

Sec. 1. Trial terms of superior court to be held annually. Places and time fixed. For the trial of civil actions and persons accused of offenses and for the transaction of all business within the jurisdiction of the superior court, the trial terms of the superior court shall be held annually by one justice at the following places and times, and the justices shall so hold said terms as directed by the chief justice of the supreme judicial court, that their services shall be divided to each county as equally as may be.

CHAP. 264

Androscoggin: At Auburn on the first Tuesdays of January, March, April, June, October and December for civil and criminal business, provided that the grand jury shall attend only at the January, June and October terms, unless specially summoned by order of a justice of said court. All recognizances for appearance to abide action by the grand jury shall be for appearance at the term at which the next regular session of the grand jury is held, but appeals in criminal as well as civil matters and removals shall be to the next regular term.

Aroostook: At Houlton on the first Tuesdays of April and November for civil and criminal business, and at Caribou on the first Tuesday of February and second Tuesday of September for civil business only.

Cumberland: At Portland on the first Tuesday of every month except July and August; but the criminal business of said county shall be transacted at the terms held on the first Tuesdays of January, May and September, together with civil business. The January, May and September terms of said court may be kept open for criminal business after their final adjournment for civil business for such time as the presiding justice may deem expedient provided that they shall be finally adjourned at least seven days before the convening of the next succeeding term in which criminal business may be done.

Franklin: At Farmington on the first Tuesday of February, second Tuesday of May and second Tuesday of September; the May term shall be held without a grand jury and with but one traverse jury, unless a justice of said court shall otherwise specially order, in which case the clerk shall send venires for the requisite number of traverse jurors, and shall summon the grand jury of the preceding term, as the terms of said order may require. All recognizances from municipal courts and trial justices in which parties are held to await the action of the grand jury, made returnable to said May term, shall, when no grand jury is in attendance, be continued to and have day in the next term of the court held in said county.

Hancock: At Ellsworth on the second Tuesdays of April, September and December.

Kennebec: At Augusta on the first Tuesdays of February, April, June and October, and at Waterville on the first Tuesday of December; but the criminal business of said county shall be transacted at the terms held on the first Tuesdays of February, June and October, together with civil business. The presiding justice may continue any case pending in said court without costs, when in his judgment justice may require it, in order to give the parties in interest opportunity to try any such case in either Waterville or Augusta in said county.

Knox: At Rockland on the first Tuesdays of February, May and November.

Lincoln: At Wiscasset, on the first Tuesday of May and first Tuesday of November.

Oxford: At Paris on the second Tuesday of February and on the first Tuesday of November, and at Rumford on the second Tuesday of May.

Penobscot: At Bangor, on the first Tuesdays of January, April, June, September and November and the criminal business of said county shall be transacted at the terms held on the first Tuesdays of January, June and September, together with civil business and the criminal business of said county may be transacted at the April term together with civil business provided that the grand jury shall not attend at the April term unless specially summoned by order of a justice of said court.

Piscataquis: At Dover-Foxcroft, on the second Tuesdays of March and September.

Sagadahoc: At Bath on the second Tuesday of January, the first Tuesday of June and the third Tuesday of October.

Somerset: At Skowhegan on the second Tuesday of January, the first Tuesday of May and the second Tuesday of September.

Waldo: At Belfast on the first Tuesday of January, the second Tuesday of April and the first Tuesday of October.

Washington: At Machias, on the first Tuesday of February and the second Tuesday of October, and at Calais on the first Tuesday of June.

York: At Saco, on the second Tuesday of January and at Alfred on the first Tuesdays of May and October.

Sec. 2. Simultaneous sessions. Two or more simultaneous sessions of the superior court may be held in the same county, whenever the chief justice of the supreme judicial court determines that public convenience so requires; and the business may be so divided as to secure its speedy and convenient disposal.

Sec. 3. Venires to be issued 40 days before criminal term. Venires for grand jurors to serve at the several terms of the superior court shall be issued annually by each clerk for his respective county forty days at least before the first criminal term to be held in said county on or after the first day of September, and the grand jurors shall serve during the year at each term in their respective counties at which criminal business may be transacted unless herein otherwise provided.

Sec. 4. R. S., c. 82, sec. 51; relating to trial terms, repealed. Section fifty-one of chapter eighty-two of the revised statutes is hereby repealed.

Sec. 5. Effective January 1, 1930. This act shall take effect on January first nineteen hundred and thirty.