

MAINE STATE LEGISLATURE

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Sixty-Second Legislature.

HOUSE.

No 1.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-FIVE.

AN ACT to regulate the erection of posts and lines
for purposes of electricity.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows:*

SECTION 1. Every company incorporated for the
2 transmission of intelligence, heat or light, by elec-
3 tricity, shall be subject to the duties, restrictions
4 and liabilities prescribed in this act.

SECT. 2. No such company shall construct its lines
2 upon and along the highways and public roads of
3 any city, or the compact portion of any village or
4 town, without first obtaining therefor a written per-
5 mit, signed by the mayor and aldermen, or selectmen,
6 specifying where the posts may be located, the kind
7 of posts and the height at which and the places

8 where the wires may be run. Before granting such
9 permit, seven days' public notice thereof shall be
10 given, and residents and owners of property upon
11 the highways to be affected thereby, shall have full
12 opportunity to show cause why such permit should
13 not be granted. After the erection of the lines,
14 having first given the company or its agents
15 opportunity to be heard, the municipal officers
16 may direct any alteration in the location or erec-
17 tion of such posts, and in the height of the wires.
18 Such permits, specifications and decisions shall be
19 recorded in the records of the city or town.

SECT. 3. An owner of land near to or adjoining a
2 highway or road along which lines are constructed
3 by the company, who considers himself injured
4 thereby, may, within three months after such con-
5 struction, apply to the mayor and aldermen or
6 selectmen, to assess and appraise the damage.
7 Before entering upon the service, they shall sev-
8 erally be sworn to faithfully and impartially per-
9 form the duties required of them by this act.
10 They shall, on view, make a just appraisement, in
11 writing, of the loss or damage, if any, to the appli-
12 cant, sign duplicates thereof, and, on demand, de-
13 liver one copy to the applicant, and the other to the
14 company or its agent. If damages are assessed,

15 the company shall pay the same, with the costs of
16 the appraisers. If the appraisers award that the
17 applicant has suffered no damage, he shall pay the
18 costs of the appraisers. The award and costs may
19 be recovered in an action of debt, if not paid in
20 ten days after written demand therefor served upon
21 the company or any of its agents; the supreme
22 judicial court for the county, or superior court,
23 shall have jurisdiction thereof, and full costs shall
24 be allowed.

SECT. 4. The mayor and aldermen and selectmen
2 shall each receive, for services performed under
3 this act, two dollars a day.

SECT. 5. Either party aggrieved by the assessment
2 of damages, may, within twenty days after the
3 award, file in the office of the clerk of courts for
4 the county, a copy of the award, with reasons of
5 appeal, a copy of which papers, attested by the
6 clerk, shall be served on the adverse party at least
7 fourteen days before the next term of the supreme
8 judicial or superior court for that county. After
9 entry, the matter shall be determined by a jury in
10 the same manner as other civil causes. If the jury
11 increase the damages, or confirm the award, the
12 amount of the verdict, and all charges and costs,
13 shall be paid by the company, otherwise, the costs
14 shall be paid by the applicant.

IN HOUSE OF REPRESENTATIVES, }
January 15, 1885. }

Presented by Mr. HEATH of Augusta; ordered printed.

NICHOLAS FESSENDEN, *Clerk.*