

MAINE STATE LEGISLATURE

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Sixty-Eighth Legislature.

HOUSE.

No. 249.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-SEVEN

AN ACT to authorize the Damariscotta Mills Water Power Company to develop, sell and use electric power, and to transmit by electricity, for lease or sale, heat, light, and power.

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

Section 1. The Damariscotta Mills Water Power Company, a corporation duly organized under the general law, and having its place of business at Nobleboro, Maine, is hereby authorized and empowered to develop, sell, and use electric power, and to transmit by electricity, for lease or sale, heat, light and power.

Sect. 2. Said corporation is hereby empowered to set, erect and maintain all poles, wires and fixtures necessary

3 for the development and transmission of electricity for
4 the purpose of furnishing electric light, heat, and power,
5 for lease or sale, to such points as may be feasible, and in
6 such manner as may be expedient, for public and private
7 uses, in and through the streets and ways of the towns of
8 Damariscotta, Newcastle, Edgecomb, Wiscasset, Wool-
9 wich, Nobleboro, Waldoboro, Warren, and Thomaston,
10 and the cities of Bath and Rockland, under such reason-
11 able restrictions as may be imposed by the municipal
12 officers thereof, subject to and in accordance with the
13 general laws of the state regulating the erection of posts
14 and lines for the purposes of electricity; with the right
15 to cut down trees and remove obstacles, when necessary,
16 within the limits aforesaid, except ornamental fruit or
17 shade trees. Such power so transmitted may be used in
18 the operation of any railroad or street railroad authorized
19 by its charter or general law to use electricity or any
20 other motive power.

Sect. 3. None of the powers granted to said corpora-
2 tion by section 2 shall be used by it for the sale of light,
3 heat, or power in Damariscotta, Newcastle, Nobleboro,
4 Bath, Thomaston or Rockland, where corporations organ-
5 ized under special charters are now exercising some of
6 their chartered powers, except for the sale of light, heat
7 or power to such corporations as already have prior char-
8 tered rights for such purposes, in the towns and cities
9 above mentioned.

Sect. 4. Said corporation, for the purposes aforesaid,
2 is authorized to set, erect, and maintain such poles, wires
3 and fixtures, over, along and upon any private land, and
4 to purchase or take such land for such purposes, as and

5 for public uses. In case of such taking, said corporation
6 shall file in the registry of deeds for the county wherein
7 the property affected may lay, a description of the land
8 and interest therein taken. In such case, if the parties
9 cannot agree on the damage occasioned thereby, the
10 damages shall be estimated, paid, and secured in the
11 manner provided in the case of land taken for railroads.

Sect. 5. For the purposes aforesaid said corporation is
2 hereby authorized to cross and occupy tide and navigable
3 waters with its poles, wires and fixtures, or to carry its
4 wires under the same by cable, in such manner as shall
5 not unnecessarily interfere with or incommode the public
6 use thereof.

Sect. 6. Said corporation shall in all cases be liable to
2 pay to any town or city all sums recovered against it for
3 damages by reason of any fault or neglect of said corpora-
4 tion, together with reasonable counsel fees and costs, with
5 interest, provided said company shall have notice in writ-
6 ing of any suit wherein such damages are claimed, and
7 shall be allowed to defend the same at its own expense.

Sect. 7. Said corporation is authorized to make con-
2 tracts with said towns and cities, or any village corporation
3 that may be organized therein, for light, heat or power,
4 and said cities and towns and any village corporation
5 therein organized are authorized to so contract for a term
6 of years, subject to the provisions of section 3 of this act.

Sect. 8. None of the provisions of this act, and none
2 of the acts of the corporation hereunder, shall in any way
3 be construed as abridging, limiting, or affecting the rights
4 and powers which said corporation now has under the
5 general law.

Sect. 9. For the purpose of carrying out the foregoing provisions, or either of them, or any of the provisions or the purposes of said corporation, said corporation is authorized to issue its bonds, in such form and amount, but in no event to exceed the amount of capital stock subscribed for, and on such time and rate, as it may from time to time determine, and secure the same by mortgage of its property and franchises.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

March 8, 1897.

Reported by Mr. FOGLER of Rockland, from Committee on Judiciary and ordered printed under joint rules.

W. S. COTTON, *Clerk.*