

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Sixty-Ninth Legislature.

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SENATE.

No. 88.

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## STATE OF MAINE.

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

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AN ACT to authorize the Castine Water Company to engage in  
the business of electric lighting and furnishing electric power.

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

Section 1. The Castine Water Company, a corporation duly  
2 existing by law, and having a place of business at Castine, in  
3 the county of Hancock, State of Maine, is hereby authorized  
4 and empowered to carry on the business of making, generating,  
5 selling, distributing and supplying electricity for lighting, heat-  
6 ing, manufacturing or mechanical purposes, in said town of  
7 Castine.

Sect. 2. For the purposes mentioned in section one of this  
2 act, said company is hereby authorized to enter into contracts

3 with the inhabitants of said town, with the United States and  
4 with the State of Maine.

Sect. 3. For the purposes contained in section one of this  
2 act, the inhabitants of said town are hereby authorized and  
3 empowered to enter into a contract with said company whenever  
4 a majority of the legal voters of said town may determine so to  
5 do at any annual meeting of said inhabitants or at a special  
6 meeting duly called for said purpose; provided, however, that  
7 no more than four special meetings of said inhabitants shall be  
8 called during one year for the purpose of voting upon any con-  
9 tract herein authorized.

Sect. 4. Said company may lease, purchase and hold such  
2 real estate and personal property as may be necessary or con-  
3 venient to enable it to carry out the provisions of this act, may  
4 erect its poles in and upon the public ways and places in said  
5 town, and may affix its wires and lights to said poles, or extend  
6 its wires in and over the public lands in said town and may  
7 maintain, remove, repair or replace any or all of its poles,  
8 lights, or wires as may be necessary and proper in the trans-  
9 action of its business; provided, however, that in all such  
10 work, said company shall be subject to the same restrictions as  
11 are imposed upon corporations of like kind formed under the  
12 provisions of chapter one hundred and two of the Public Laws  
13 of 1895; and provided, further, that whenever it shall be neces-  
14 sary to trim fruit or ornamental shade trees for the purposes of  
15 erecting poles or placing wires, if the owner of the land upon  
16 which such trees may stand cannot agree with said company as  
17 to the amount of trimming necessary, then the municipal officers  
18 shall determine the same, and their determination shall be final.

Sect. 5. The location of poles in the public ways and places  
2 in said town shall be determined in the same manner and under  
3 the same restrictions as the location of poles is determined by  
4 the provisions of chapter one hundred and two of the Public  
5 Laws of 1895.

Sect. 6. To carry out the provisions of this act, said Castine  
2 Water Company may issue its bonds to an amount not to exceed  
3 twenty-five thousand dollars, on such time, in such denomina-  
4 tion, and at such rate of interest as it may determine, and  
5 secure the payment of said bonds and interest thereon by a  
6 mortgage or trust deed of its electric light property and fran-  
7 chise. Said bonds shall be designated as Castine Water Com-  
8 pany Electric Light bonds.

Sect. 7. Said company shall repay the said town of Castine  
2 any sum of money which said town may have been compelled  
3 to pay on any judgment for any damages caused by a defect or  
4 want of repair in the streets thereof, due to the negligence of  
5 said company, or any judgment for damages caused by the  
6 neglect of said company in the erecting and maintaining poles,  
7 wires or appurtenances connected with the said business; pro-  
8 vided said company shall have had notice in writing of any suit  
9 wherein such damages are claimed, and shall have been allowed  
10 to defend the same at its own expense.

Sect. 8. Said company shall not be allowed to obstruct or  
2 impair the use of any public or private telephone or telegraph  
3 wire, but may cross or when necessary, change the direction of  
4 any private wire in such a manner as not to obstruct or impair  
5 the use thereof, being responsible to the owner of such private  
6 wire for any injury occasioned thereby in an action on the case.

Sect. 9. This act shall take effect when approved.

## STATE OF MAINE.

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IN SENATE, March 2, 1899.

Reported by Mr. HAMLIN from Committee on Judiciary, and laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.