

# MAINE STATE LEGISLATURE

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# Seventy-first Legislature.

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HOUSE.

No. 16

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THREE.

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AN ACT to amend chapter three hundred and seventy-eight of  
the Public Laws of eighteen hundred and eighty-five relating  
to electric posts and wires.

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

Section 1. Section two of chapter three hundred and  
2 seventy-eight of the Public Laws of eighteen hundred and  
3 eighty-five is hereby amended by adding thereto the follow-  
4 ing: 'Posts and wires erected and maintained in accordance  
5 with the provisions of this chapter shall be deemed legal  
6 structures and the party maintaining the same shall be liable  
7 on account thereof only for carelessness or negligence in the  
8 erection or maintenance of the same,' so that said section as  
9 amended shall read as follows:

‘Sect. 2. No such company, person or association shall con-  
11 struct lines upon and along the highways and public roads of  
12 any city or town, without first obtaining a written permit,  
13 signed by the mayor and aldermen, or selectmen, specifying  
14 where the posts may be located, the kind of posts, and the  
15 height at which and the places where the wires may be run.  
16 Before granting such permit, fourteen days public notice  
17 thereof shall be given, and residents and owners of property  
18 upon the highways to be affected thereby, shall have full  
19 opportunity to show cause why such permit should not be  
20 granted. Such public notice shall be given by publication in  
21 some newspaper printed in such city or town, if any, the last  
22 publication to be fourteen days before said hearing; if no  
23 newspaper is printed therein, then by posting the same in  
24 some public and conspicuous place therein fourteen days  
25 before said hearing; when the application for such permit is  
26 filed, the mayor or chairman of the selectmen shall indorse  
27 thereon what personal notice, if any, shall be given by such  
28 company, persons or associations, to the residents and owners  
29 of property to be affected thereby. At the hearing, such  
30 company, persons or associations, before proceeding, shall  
31 first prove that such order of notice has been complied with  
32 and public notice given as hereinbefore required, and the  
33 adjudication of the mayor and aldermen, or selectmen, that  
34 such personal and public notice has been given shall be final  
35 and conclusive. If from any cause the notice given appears  
36 to have been defective, the municipal officers may order new  
37 notice, not exceeding seven days, and adjourn said hearing  
38 to a time named in said new order of notice. After the erec-

39 tion of the lines, having first given such company, persons,  
40 associations or their agents opportunity to be heard, the  
41 municipal officers may direct any alteration in the location or  
42 erection of such posts, and in the height of the wires. Such  
43 permits, specifications and decisions shall be recorded in the  
44 records of the city or town. Posts and wires erected and  
45 maintained in accordance with the provisions of this chapter  
46 shall be deemed legal structures and the party maintaining  
47 the same shall be liable on account thereof only for careless-  
48 ness or negligence in the erection or maintenance of the same.'

Sect. 2. Section eight of chapter three hundred and seventy-  
2 eight of the Public Laws of eighteen hundred and eighty-five  
3 is hereby repealed.

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

AUGUSTA, January 27, 1903.

Tabled pending reference to the Committee on Railroads, Telegraphs  
and Expresses, by Mr. WEEKS of Fairfield, and ordered printed.

W. S. COTTON, *Clerk.*