

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

HOUSE.

No. 129

STATE OF MAINE.

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

AN ACT to amend chapter three hundred seventy-eight of the
Public Laws of eighteen hundred and eighty-five, regulating
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. Section two of chapter three hundred seventy-
2 eight of the Public Laws of eighteen hundred and eighty-
3 five is hereby amended by striking out the first six lines
4 thereof and inserting in place thereof the following: 'No
5 such company, person or association shall construct lines
6 upon and along highways and public roads, without first
7 obtaining a written permit, signed by the mayor and alder-
8 men in case of cities, the selectmen in case of towns, and the
9 county commissioners in case of plantations and unorganized,
10 townships, specifying the kind of posts, where and how they

11 shall be located and set, and the height of the wire above the
12 ground; and if the line specified in the permit is not con-
13 structed and public telephone service established in connec-
14 tion therewith within one year from the date of granting the
15 permit, the permit shall be void.'

Also by adding at the end of said section the following
17 words: 'Any person or corporation interested may appeal
18 from the decision of the mayor and aldermen, selectmen, or
19 county commissioners to the supreme judicial court in the
20 manner provided in sections forty-eight, forty-nine, fifty and
21 fifty-one of chapter eighteen of the Revised Statutes, relating
22 to highways.'

Sect. 2. Said section is further amended to conform to
2 section one of this act, so that said section as amended shall
3 read as follows:

'Sect. 2. No such company, person or association shall
5 construct lines upon and along highways and public roads,
6 without first obtaining a written permit, signed by the mayor
7 and aldermen in case of cities, the selectmen in case of towns,
8 and the county commissioners in case of plantations and
9 unorganized townships, specifying the kind of posts, where
10 and how they shall be located and set, and the height of the
11 wire above the ground: and if the line specified in the permit
12 is not constructed and public telephone service established
13 in connection therewith within one year from the date of
14 granting the permit, the permit shall be void. Before grant-
15 ing such permit, fourteen days' public notice thereof shall be
16 given, and residents and owners of property upon the high-
17 ways to be affected thereby shall have full opportunity to
18 show cause why such permit should not be granted. Such
19 public notice shall be given by publication in the county
20 paper when the county commissioners are to act, and in some
21 newspaper printed in such city or town, if any, the last publi-

22 cation to be fourteen days before said hearing ; if in a town
23 and no newspaper is printed therein, then by posting the same
24 in some public and conspicuous place therein fourteen days
25 before said hearing. When the application for such permit
26 is filed personal notice, if deemed necessary, may be ordered
27 by such officers and shall be given by such company, persons
28 or associations to the residents and owners of property to be
29 affected thereby. At the hearing such company, persons or
30 associations before proceeding, shall first prove that such
31 order of notice has been complied with and public notice
32 given as hereinbefore required, and the adjudication of the
33 mayor and aldermen, selectmen or county commissioners that
34 such personai 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, said officers may order new notice,
37 not exceeding seven days, and adjourn said hearing to a time
38 named in said new order of notice. After the erection of
39 the lines, having first given all persons interested an oppor-
40 tunity to be heard, such officers may direct any alteration in
41 the original permit. Such permits, specifications and deci-
42 sions shall be recorded in the records of the city, town or
43 county. Any person or corporation interested may appeal
44 from the decision of the mayor and aldermen, selectmen or
45 county commissioners to the supreme judicial court in the
46 manner provided in sections forty-eight, forty-nine, fifty and
47 fifty-one of chapter eighteen of the Revised Statutes, relating
48 to highways.'

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, February 17, 1903.

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

W. S. COTTON, *Clerk*