

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

HOUSE.

No. 316

STATE OF MAINE.

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

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.

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

Section 1. Section two of chapter three hundred and sev-
2 enty-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 construct lines upon and along the highways and public roads of any city or town, without first obtaining a written permit, signed by the mayor and aldermen, or selectmen, specifying where the posts may be located, the kind of posts, and the height at which and the places where the wires may be run. Before granting such permit, fourteen days' public notice thereof shall be given, and residents and owners of property upon the highways to be affected thereby, shall have full opportunity to show cause why such permit should not be granted. Such public notice shall be given by publication in some newspaper printed in such city or town, if any, the last publication to be fourteen days before said hearing; if no newspaper is printed therein, then by posting the same in some public and conspicuous place therein fourteen days before said hearing; when the application for such permit is filed, the mayor or chairman of the selectmen shall indorse thereon what personal notice, if any, shall be given by such company, persons or associations, to the residents and owners of property to be affected thereby. At the hearing, such company, persons or associations, before proceeding, shall first prove that such order of notice has been complied with and public notice given as hereinbefore required, and the adjudication of the mayor and aldermen, or selectmen, that such personal and public notice has been given shall be final and conclusive. If from any cause the notice given appears to have been defective, the municipal officers may order new notice, not exceeding seven days, and adjourn said hearing 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
42 or erection of such posts, and in the height of the wires.
43 Such permits, specifications and decisions shall be recorded
44 in the records of the city or town. Posts and wires erected
45 and maintained in accordance with the provisions of this chap-
46 ter 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.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 12, 1903.

Reported by Mr. MANSON of Pittsfield, from Committee on
Legal Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*