

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Seventy-first Legislature.

HOUSE.

No. 322

STATE OF MAINE.

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

AN ACT to incorporate the Buckfield Water, Power and
Electric Light Company.

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

Section 1. Horace A. Irish, Osborne McConathy, Cyrus
2 M. Irish, Isaac W. Shaw, Ralph H. Morrill and Frederick
3 R. Dyer, or such of them as shall vote to accept this charter,
4 with their associates, successors and assigns are hereby made
5 a body corporate by the name of the Buckfield Water Power
6 and Electric Light Company, and as such shall possess all
7 the powers and be subject to all the duties and obligations
8 conferred and imposed on corporations by law, except as
9 otherwise provided herein.

Sect. 2. The place of business of said corporation shall be
2 at Buckfield, in the county of Oxford and State of Maine,
3 and its business shall be confined to the town of Buckfield.

Sect. 3. The business to be carried on by said company shall be to furnish water for the extinguishment of fires and for domestic, sanitary and municipal uses, to said village of Buckfield and vicinity and the inhabitants thereof, to create, sell and lease water power for manufacturing purposes, to furnish electric lights for lighting streets of said village and to dispose of electric light to individuals and corporations.

Sect. 4. Said company is hereby authorized, for the purposes aforesaid, to take, detain and use the water of North pond in Sumner and Buckfield, Swan pond in Hartford, or any other suitable source of water supply in the towns of Buckfield, Hartford and Sumner in said Oxford county and to erect and maintain reservoirs and dams, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disposing of water and forming proper reservoirs thereof; and said company may take and hold by purchase or otherwise any lands or real estate necessary therefor, and may excavate through any lands, when necessary for the purposes of this incorporation. Provided however that should this company take water from said North pond it shall, in consideration thereof, build and maintain a good and sufficient dam of a height sufficient to hold the reasonable flowage of said pond.

Sect. 5. Said company is authorized to erect and maintain a dam or dams across North Pond brook, so-called, at a point or points between North pond and the west branch of Nezin-scot river in said Buckfield.

Sect. 6. Said company is further authorized to cut and maintain canals from said dam or dams, and for the purpose of constructing a dam or dams and canals, may take, occupy and inclose any lands adjoining the same which may be necessary for building or repairing the same and other necessary purposes on each side thereof, and may blow up and

7 remove any rocks in said stream and dig up any land in said
8 stream when necessary.

Sect. 7. Said company is hereby authorized to lay down
2 pipes and to set poles and extend wires in and through the
3 streets and ways in said town of Buckfield, and to take up,
4 replace and repair all such pipes, aqueducts, poles and fixtures
5 as may be necessary for the purposes of this incorporation,
6 under such reasonable restrictions as may be imposed by the
7 selectmen of said town, and all provisions of this act relating
8 to the construction, repairs, maintaining or operating works
9 for furnishing electric light shall be subject to the provisions
10 of chapter three hundred seventy-eight of the public laws of
11 eighteen hundred and eighty-five.

Sect. 8. Said company shall have power to cross any water
2 course, public or private sewer, or to change the direction
3 thereof for the purposes of this incorporation, but in such
4 manner as not to obstruct or impair the use thereof, and said
5 company shall be liable for all injury thereby. Whenever
6 said company shall lay down any fixtures in any highway,
7 way or street or make any alteration or repairs upon its
8 work in any highway, way or street it shall cause the same
9 to be done with as little obstruction to public travel as may
10 be practicable, and shall at its own expense, without unneces-
11 sary delay, cause the earth then removed by it, to be replaced
12 in proper condition.

Sect. 9. Said company is authorized to lay and maintain
2 its pipes in, under and over the Nezinscot river and to build
3 and maintain all necessary structures therefor.

Sect. 10. Said company shall be held liable to pay all
2 damages that may be sustained by any persons by taking any
3 lands, water, rights of way or other property or by excavat-
4 ing through any land for the purpose of surveying for locat-
5 ing, laying or building dams, canals, reservoirs, pipes,

6 hydrants or other structures, by taking and holding any lands
7 necessary for flowage, by setting posts and extending wires,
8 and for any other injuries resulting from said acts, and if
9 any person sustaining damage as aforesaid, and said corpor-
10 ation cannot mutually agree upon the sum to be paid therefor,
11 such person may cause his damages to be ascertained in the
12 same manner and under the same conditions, restrictions and
13 limitations as are by law prescribed in the case of damage by
14 laying out railroads.

Sect. 11. Said company is authorized to make contracts
2 with the said town of Buckfield, with any village corporation
3 that now, or hereafter may, exist in said town, and with other
4 corporations and individuals for the purpose of supplying
5 water or electric light as contemplated by this act; and said
6 town, by their selectmen, and said village corporation, by
7 their assessors, are hereby authorized to enter into contracts
8 with the said company for the supply of water and electric
9 lights, and for such exemption from public burden as said
10 town and said corporation and said company agree upon,
11 which when made, shall be legal and binding upon all parties
12 thereto. Said company is authorized to sell or lease any
13 water not used by it on the dams aforesaid.

Sect. 12. The capital stock of said company shall not
2 exceed one hundred thousand dollars, divided into shares of
3 forty dollars each; said company may hold real and personal
4 estate necessary and convenient for its purposes aforesaid.

Sect. 13. For the purposes of carrying out the foregoing
2 provisions or either of them, said company is authorized to
3 issue its bonds in such form and amount and on such time
4 and rates, not exceeding the amount of its capital stock sub-
5 scribed, as it may deem expedient, and secure the same by
6 mortgage of its property and franchises.

Sect. 14. The first meeting of said company shall be called
2 at Buckfield on a notice in writing signed by any two of the
3 corporators named in section one, such notice shall be served
4 in hand, or by mail postage prepaid at least seven days before
5 the day appointed therefor. At such meeting any corporator
6 may be represented and act by proxy.

Section 15. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,
AUGUSTA, March 12, 1903.

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

W. S. COTTON, *Clerk.*