

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventy-first Legislature.

HOUSE.

No. 478

STATE OF MAINE.

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

AN ACT to incorporate the Dirigo Electric Light Company of
Dexter.

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

Section 1. Edwin Bunker, Norman H. Fay, Owen W.
2 Bridges, William C. Elder, Atwood J. Cobb, John W.
3 Springall and Elmer Weymouth, their associates, successors
4 and assigns are hereby made a body corporate by the name of
5 the Dirigo Electric Light Company, with all the powers,
6 rights and privileges subject to all the duties and obligations
7 conferred and imposed upon corporations by law, except as
8 otherwise provided herein.

Sect. 2. Said company is authorized and empowered to
2 carry on the business of lighting by electricity such public
3 streets in the towns of Dexter, Garland, and Corinna, outside
4 of the limits of Corinna village, and such buildings and places
5 therein, public or private as may be agreed upon by said
6 corporation and the owners or those having control of such
7 places to be lighted; and may furnish motive power by elec-
8 tricity within the limits of said towns of Dexter, Garland and
9 Corinna, outside of the limits of Corinna village; and may
10 build and operate factories and works for the providing and
11 supplying of electricity and light and power and may contract
12 with any other electric light and power company for the same
13 purpose; and may lease, purchase and hold real and personal
14 estate for the proper objects of the corporation to the amount
15 of fifteen thousand dollars and to construct, lay, maintain and
16 operate lines of wire or other material for the transmission of
17 electricity, submarine, underground, upon, under and along
18 and over any and all streets and ways under the direction of
19 the municipal officers of said Dexter, Garland and Corinna,
20 outside of the limits of said Corinna village; and in public
21 places in such a manner as not to endanger the appropriate
22 public use thereof, and to establish and maintain, under direc-
23 tion of said municipal officers, all necessary posts, pipes,
24 supports and appurtenances, and terminating at such points
25 as may be expedient.

Sect. 3. Said corporation is hereby empowered to set and
2 maintain poles, wires and fixtures necessary for the trans-
3 mission of electricity through the streets and ways of the
4 towns of Dover, in the county of Piscataquis, Newport, in the
5 county of Penobscot, and Detroit, in the county of Somerset,
6 under such reasonable restrictions as may be imposed by the
7 municipal officers thereof, and subject to and in accordance
8 with the general laws of the State regulating the erection of
9 posts and lines for the purposes of electricity, with the right

10 to cut down trees and remove obstacles when necessary within
11 the limits aforesaid, excepting ornamental, fruit or shade
12 trees.

Sect. 4. None of the powers granted to said corporation by
2 section three shall be used by it for the sale of light, heat or
3 power, in Dover, Newport or Detroit where corporations
4 organized under special charter are now exercising some of
5 their chartered powers without the written consent of said
6 corporations, nor within the limits of Corinna village without
7 first obtaining the consent of Leslie F. Ireland who has an
8 established lighting plant in said Corinna village, or by first
9 obtaining the consent of a majority of the legal voters resid-
10 ing within said village limits, at a meeting of said voters
11 called for such purpose, after seven day's notice.

Sect. 5. For the erecting said wires above ground and for
2 laying the same, or pipes thereof, submarine or under ground,
3 and for taking up, replacing and repairing the same, said
4 company shall first obtain the consent of the municipal officers
5 of said towns, and perform all acts as directed by said munic-
6 ipal officers; and said company shall repay to said Dexter,
7 Dover, Garland, Corinna, Newport and Detroit any sum
8 which said towns may have been compelled to pay on any
9 judgment for any damages caused by a defect or want of
10 repair in the streets or ways thereof, due to the neglect of said
11 company, or on any judgment for damages caused by the
12 negligence of said company in the erecting and maintaining
13 of any posts, wires or appurtenances connected with said
14 business.

Sect. 6. Said company, at its own expense, without unnec-
2 essary delay, shall remove any and all obstructions in any
3 street or way, made in erecting or laying the lines for such
4 purposes, and cause earth disturbed to be properly replaced.
5 It shall not be allowed to obstruct or impair the use of any
6 public or private drain, or gas pipe or sewer, telegraph or

7 telephone wire, but may cross, or when necessary, change
8 direction of any private wire or pipe, drain or sewer, in such
9 manner as not to obstruct or impair the use thereof, being
10 responsible to the owner or other person for any injury occa-
11 sioned thereby, in an action on the case.

Sect. 7. Damages for any land taken for the purposes of
2 erecting or laying said lines, if the parties cannot agree, shall
3 be estimated, secured and paid as in the case of lands taken
4 for railroads.

Sect. 8. Nothing contained in this act shall be construed to
2 affect or diminish the liability of said corporation for any
3 injury to private property, by depreciating the value thereof
4 or otherwise, but any legal remedies existing shall continue.
5 The selectmen of said Dexter, Dover, Garland, Corinna, New-
6 port and Detroit for the time being, shall, at all times, have
7 the power to regulate and control the acts and doings of said
8 corporation, which may in any manner affect the health or
9 safety, or become a nuisance to the inhabitants of said towns.

Sect. 9. The capital stock of said company shall not exceed
2 fifty thousand dollars divided into shares of fifty dollars each.

Sect. 10. Said company is hereby authorized to issue bonds
2 for the construction of its works upon such rates and time,
3 and to such amount as it may deem necessary, not to exceed
4 twenty-five thousand dollars in all, and not to exceed the
5 amount of capital stock subscribed for, and to secure the same
6 by mortgage or deed of trust upon its franchise and property.

Sect. 11. Manufactories and other business corporations
2 doing business in said Dexter, Dover, Garland, Corinna, New-
3 port and Detroit are hereby authorized to subscribe and hold
4 stock in said company.

Sect. 12. Any two of the corporators named in this act
2 may call the first meeting of the corporation by mailing a
3 written notice, signed by both, postage paid, to each of the
4 corporators seven days at least before the day of the meeting,

5 naming the time, place and purpose of said meeting; a presi-
6 dent secretary and directors may be chosen, by-laws adopted
7 and any corporate business transacted.

Sect. 13. This act may be accepted at any regular meeting
2 of said association by a majority of the members present.

Sect. 14. The charter hereby granted shall be null and void
2 if the Dexter Electric Light and Power Company shall, on
3 or before the first day of December, A. D. nineteen hundred
4 and three, increase its supply of electricity by one hundred
5 horse power, available for all night service, together with
6 such electrical appliances as will enable said corporation to
7 utilize said additional power for the purposes of electricity
8 under the obligations of its charter.

Upon petition therefor by the said Dexter Electric Light and
10 Power Company, filed in the clerk's office of the supreme
11 judicial court for Penobscot county, during the month of
12 January, A. D. nineteen hundred and four, any justice of the
13 supreme judicial court, in term time or vacation, after notice
14 to said Dirigo Electric Light Company, or if not then organ-
15 ized, to any incorporator thereof, and after hearing thereon
16 may extend said time a reasonable period if it appears to
17 such justice that said Dexter Electric Light and Power Com-
18 pany has been prevented from the full performance of the
19 condition herein by inevitable accident or unavoidable cause.

Upon application made by the Dirigo Electric Light Com-
21 pany, filed in the clerk's office of the supreme judicial court
22 for Penobscot county, during the month of February, A. D.
23 nineteen hundred and four, or during the thirty days next
24 following the aforesaid extension of time of completion, any
25 justice of the supreme judicial court, after notice and hearing,
26 in term time or vacation, shall determine finally and without
27 appeal whether the aforesaid conditions have been substan-
28 tially performed, and whether the charter hereby granted is

29 or is not null and void; and such findings, signed by such
30 justice, shall be returned to and entered of record in the office
31 of the clerk of courts of the county of Penobscot.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 19, 1903.

Reported by Mr. WEEKS of Fairfield, from Committee on the
Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*