

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)

NEW DRAFT.

SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 335

STATE OF MAINE.

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

AN ACT in relation to the South Paris Village Corporation and
to establish a system of municipal lighting.

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

Section 1. The South Paris Village Corporation, created
2 by law and duly organized, in the town of Paris, in addition
3 to the powers already granted it, is hereby authorized and
4 empowered to install a plant for the purpose of making, gen-
5 erating and supplying gas or electricity, or both, for the
6 purpose of lighting its streets and public buildings, also for
7 the purpose of selling, distributing and supplying gas or elec-
8 tricity, or both, for lighting houses, stores and other build-
9 ings, and furnishing heat and power for any other purpose
10 to its citizens and inhabitants, within its corporate limits.

Sect. 2. For the purpose of carrying out the provisions of
2 this act said South Paris Village Corporation shall have
3 power to purchase, or lease for a term of years, and control,
4 any water power or privilege, within the limits of the town
5 of Paris, or it may furnish such necessary power by the
6 establishment of a steam plant, or may lease or purchase the
7 necessary power to carry out the provisions of this act, as it
8 may hereafter determine, from any corporation, person or
9 firm, owning or controlling any such power. Said village
10 corporation shall have the authority to lay its pipes and wires
11 and construct and maintain its lines in, upon, along, over,
12 across and under the roads and streets within its corporate
13 limits, or within the said town of Paris, subject, however, to
14 the conditions and restrictions hereinafter provided.

Sect. 3. Said village corporation shall not lay its pipes or
2 bury its wires in any road or street, or dig up or open the
3 ground in any road or street, or erect its poles and string its
4 wires and cables within the said town of Paris or within its
5 corporate limits, without first obtaining permit from the
6 municipal officers of said town in the same manner as pro-
7 vided for corporations organized under chapter 102 of the
8 Public Laws of 1895.

Sect. 4. Said village corporation is hereby authorized to
2 construct and maintain its poles, lines, fixtures and appliances
3 upon, along, over and across the roads and streets of the
4 town of Paris, upon the conditions and under the restrictions
5 provided by section 8 of chapter 102 of the Public Laws of
6 1895.

Sect. 5. Said village corporation, for the purpose of carry-
2 ing into full effect the provisions of this act in the establish-
3 ing, constructing, furnishing, equipping and fully maintain-
4 ing its works, may, at any legal meeting of said corporation,
5 called for that purpose, raise money, and issue bonds regis-
6 tered, or with interest coupons, in such denominations, and

7 on such time and rate of interest, as may be determined at
8 such meeting, to an amount necessary for said purpose,
9 which, taken in connection with any other indebtedness of
10 said village corporation, will not exceed five per centum of
11 the last regular valuation thereof. Said bonds shall be
12 signed by the assessors and treasurer of said village corpora-
13 tion, but the coupons need be signed by the treasurer only.

Sect. 6. The care and management of said lighting system,
2 and regulation of charges for lighting of houses, stores and
3 other buildings, shall be under the control of the assessors of
4 said village corporation; or, if the corporation so vote, said
5 duties shall be placed in the hands of a commission who shall
6 be chosen at its first meeting after this act shall be accepted.
7 Said commission shall consist of three legal voters, one to be
8 chosen for one year, one for two years, and one for three
9 years, and after said first meeting one shall be chosen annu-
10 ally for three years. In case of vacancy on said board the
11 assessors may fill the same by appointment until the next
12 annual election.

Sect. 7. Said village corporation shall not proceed under
2 the provisions of this act until after the same shall be accepted
3 by a majority of the voters present at a meeting of said
4 corporation called for that purpose. And there may be held
5 not exceeding four such meetings within two years from the
6 date of approval of this act for said purpose of acceptance—
7 the first one to be held within four months from said date
8 of approval, and no subsequent meetings for that purpose to
9 be held within four months of the next previous meeting.

Sect. 8. Said South Paris Village Corporation shall be
2 further required to purchase at a fair cash value of the Nor-
3 way and Paris Street Railway Company, after this act shall
4 have been legally accepted, all its poles set in the ground,
5 cross arms and insulators thereon, wires strung, and trans-
6 formers, now in use within the limits of said South Paris

7 Village Corporation, which were formerly owned by the
8 Oxford Light Company, but no other property; provided
9 said Norway and Paris Street Railway Company desires to
10 dispose of the same and will deliver the same free of incum-
11 brances; but said purchase shall not include any part of the
12 property as above described not heretofore used and owned
13 by said Oxford Light Company.

Sect. 9. In case said village corporation fails to agree with
2 said Norway and Paris Street Railway Company as the
3 present owners of said property, upon the terms of purchase
4 and value of the property above mentioned within three
5 months after this act shall have been accepted by said village
6 corporation, then the value of said property shall be deter-
7 mined by appraisal by three disinterested men, one to be
8 designated by said Norway and Paris Street Railway Com-
9 pany, another by said village corporation, and the third to
10 be chosen by the two thus designated. Each party shall
11 notify the other in writing of the name of the person so
12 chosen by it, and all subsequent proceedings in arriving at
13 a hearing shall be under the direction of said appraisers, the
14 award of whom, or a majority of whom, made in writing to
15 each party shall be binding on both parties and shall be car-
16 ried out within sixty days after such award is made. On
17 payment, or tender, within said time by said village corpora-
18 tion of the amount so fixed, said property hereinbefore desig-
19 nated shall become vested in said South Paris Village Corpo-
20 ration and be free from all liens, mortgages, and incum-
21 brances theretofore created by the Oxford Light Company,
22 or the Norway and Paris Street Railway Company.

Sect. 10. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, March 2, 1905.

Reported by minority of the Committee on Legal Affairs and ordered
printed on motion of Mr. GRAY of Paris.

E. M. THOMPSON, *Clerk.*