

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-SECOND LEGISLATURE

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HOUSE.

No. 510

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## STATE OF MAINE.

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

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AN ACT to authorize the Maine and New Brunswick Electrical Power Company, Limited, of New Brunswick, to exercise certain powers in this State.

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

Section 1. The Maine and New Brunswick Electrical  
2 Power Company, Limited, a corporation created by and exist-  
3 ing under the laws of the province of New Brunswick, is  
4 hereby authorized to exercise within this State the powers,  
5 privileges, rights and franchises conferred by this act, sub-  
6 ject to the conditions herein contained.

Sect. 2. The said corporation is hereby authorized to pur-  
2 chase or lease the capital stock, rights, privileges, immuni-  
3 ties and franchises of the Presque Isle Electric Light Com-

pany, upon such terms as may be agreed upon, and upon such purchase or lease the said Maine and New Brunswick Electrical Power Company, Limited, shall have, hold, possess, exercise and enjoy all the locations, powers, privileges, rights, immunities, franchises, property and assets which at the time of said transfer shall then be had, held, possessed or enjoyed by the said Presque Isle Electric Light Company, and shall then be subject to all the duties, restrictions and liabilities to which the said Presque Isle Electric Light Company shall then be subject by reason of any charter, contract, or general or special law, or otherwise, and shall thereupon be entitled to manufacture, generate, sell, distribute and supply electricity for light, heat and power in said town of Presque Isle.

Sect. 3. All proceedings, suits-at-law or in equity, which may be pending at the time of such transfer, to which the said Presque Isle Electric Light Company may be a party, may be prosecuted or defended by the said Maine and New Brunswick Electrical Power Company, Limited, in like manner and with like effect as if such transfer had not been made. All claims, contracts, rights, causes of action of or against the said Presque Isle Electric Company, at law or in equity, may be enforced by suit or action to be begun or prosecuted by or against the said Maine and New Brunswick Electrical Power Company, Limited.

Sect. 4. The Presque Isle Electric Light Company is hereby authorized to make the sale or lease authorized by section two of this act.

Sect. 5. When the transfer authorized in this act is carried out and fully completed the Maine and New Brunswick Electrical Power Company, Limited, shall be liable for the then lawfully existing debts, obligations and contracts of the said Presque Isle Electric Light Company.

Sect. 6. The said Maine and New Brunswick Electrical Power Company, Limited, is authorized, upon such terms as

3 may be mutually agreed upon, to purchase or lease the prop-  
4 erty, capital stock, rights, privileges, immunities and fran-  
5 chises of the Fort Fairfield Electric Company, and upon any  
6 such purchase or lease the said Maine and New Brunswick  
7 Electrical Power Company, Limited, shall have, hold, possess,  
8 exercise and enjoy all the locations, powers, privileges, rights,  
9 immunities, franchises, property and assets which at the time  
10 of said transfer shall then be had, held, possessed or enjoyed  
11 by the said Fort Fairfield Electric Company, and shall be  
12 subject to all the duties, restrictions and liabilities to which  
13 the said Fort Fairfield Electric Company shall then be subject  
14 by reason of any charter, contract, or general or special  
15 law, or otherwise. All proceedings, suits-at-law or in equity,  
16 which may be pending at the time of any such transfer, to  
17 which said Fort Fairfield Electric Company may be a party,  
18 may be prosecuted or defended by the said Maine and New  
19 Brunswick Electrical Power Company, Limited, in like man-  
20 ner and with like effect as if such transfer had not been made.  
21 All claims, contracts, rights and causes of action of or against  
22 said Fort Fairfield Electric Company, at law or in equity,  
23 may be enforced by suit or action to be begun or prosecuted  
24 by or against the said Maine and New Brunswick Electrical  
25 Power Company, Limited. The said Fort Fairfield Electric  
26 Company is hereby authorized to make said sale or lease.  
27 When any transfer authorized by this section is carried out  
28 and fully completed the said Maine and New Brunswick  
29 Electrical Power Company, Limited, shall be liable for the  
30 then lawfully existing debts, obligations and contracts of the  
31 said Fort Fairfield Electric Company.

Sect. 7. The said Maine and New Brunswick Electrical  
2 Power Company, Limited, is authorized to make, generate,  
3 sell, distribute or supply electricity, for lighting purposes, in  
4 the town of Fort Fairfield, upon first obtaining the written  
5 consent therefor of all corporations, persons and firms author-

6 ized to make, generate, sell, distribute or supply electricity  
7 in said town and not otherwise; but nothing in this section  
8 shall prohibit the transmission through said town of electric  
9 currents to be elsewhere used under the provisions of this  
10 act. The said Maine and New Brunswick Electrical Power  
11 Company, Limited, is authorized to sell electricity to any cor-  
12 poration, person or firm, in said town of Fort Fairfield,  
13 authorized to distribute electricity therein, or to any corpo-  
14 ration, person or firm, in said town of Fort Fairfield, to be  
15 used for any other purpose than the production of light, and  
16 for that purpose it may maintain therein all necessary sta-  
17 tions, fixtures and lines of posts and wires.

Sect. 8. The said Maine and New Brunswick Electrical  
2 Power Company, Limited, is authorized to transmit and sell  
3 electricity to the Aroostook Valley Railroad Company for use  
4 in the operation of the railroad of said company, and to make  
5 such contracts therefor as may be mutually agreed upon.

Sect. 9. Said Maine and New Brunswick Electrical Power  
2 Company, Limited, is authorized to make, generate, sell, dis-  
3 tribute and supply electricity for light, heat and power in the  
4 town of Limestone, and for that purpose it may erect and  
5 maintain all necessary stations, fixtures and lines of posts  
6 and wires.

Sect. 10. The said Maine and New Brunswick Electrical  
2 Power Company, Limited, is authorized to sell electricity to  
3 any corporation, person or firm in the town of Houlton  
4 authorized to distribute electricity in said town. Nothing  
5 in this act shall authorize said Maine and New Brunswick  
6 Electrical Power Company, Limited, to otherwise engage in  
7 the business of selling or distributing electricity in said Houl-  
8 ton. For the purpose of this section, said corporation is  
9 authorized to erect and maintain a line, or lines, of posts and  
10 wires, with all necessary stations and fixtures, from its main  
11 line in Fort Fairfield, through Easton, Mars Hill, Blaine,

12 Bridgewater, Monticello and Littleton, to and into the town  
13 of Houlton, and to sell and distribute electricity from said  
14 lines for light, heat and power in said Easton, Mars Hill,  
15 Blaine, Bridgewater, Monticello and Littleton. Nothing in  
16 this section shall require any corporation organized under the  
17 general laws of the State for the sale and distribution of elec-  
18 tricity in said Easton, Mars Hill, Blaine, Bridgewater, Mon-  
19 ticello or Littleton to obtain any special act of the legislature  
20 therefor.

This section shall be null and void unless the Maine and  
22 New Brunswick Electrical Power Company, Limited, shall  
23 comply with the following conditions:

The said Maine and New Brunswick Electrical Power Com-  
25 pany, Limited, shall within thirty days after the approval of  
26 this act offer in writing to the Houlton Water Company to  
27 furnish to said company, at such point of delivery in said  
28 Houlton as said Houlton Water Company may designate,  
29 such amount of electricity for a twenty-four hours' service  
30 as said Houlton Water Company may from time to time  
31 require, not exceeding at any one time six hundred kilowatts,  
32 at three cents per kilowatt hour, measured at said point of  
33 delivery, and if said offer is accepted, execute a contract to  
34 that effect, said offer to be accepted or rejected by said Houl-  
35 ton Water Company within ninety days after its receipt, and  
36 the contract thereon to be for not less than twenty years,  
37 with the right of renewal for another period of twenty years  
38 on the same terms and conditions if said Houlton Water  
39 Company shall so elect. The said Maine and New Bruns-  
40 wick Electrical Power Company, Limited, and the said Houl-  
41 ton Water Company, are authorized to make and enter into  
42 said contract, and to do all things necessary to perform the  
43 same. In such contract said Houlton Water Company shall  
44 agree to take a minimum quantity, to average during the year  
not less than thirty kilowatts per hour. Said contract shall

46 further provide that the said Maine and New Brunswick  
47 Electrical Power Company, Limited, shall begin to supply  
48 electricity thereunder on March 1st, A. D. 1906, but a differ-  
49 ent date may be agreed upon if said Houlton Water Company  
50 so consents. If such offer is not accepted, then the said  
51 Maine and New Brunswick Electrical Power Company, Lim-  
52 ited, in selling electricity for use in said Houlton, as other-  
53 wise authorized in this section, shall not charge therefor more  
54 than three cents per kilowatt hour. If such contract is made  
55 the said Maine and New Brunswick Electrical Power Com-  
56 pany, Limited, may sell power to such customers in Houlton  
57 as said Houlton Water Company shall consent to and on  
58 such terms and conditions as said Houlton Water Company  
59 may approve and consent to, but shall not have the right to  
60 sell to such customers without first obtaining the written  
61 consent of said Houlton Water Company. Nor shall said  
62 Maine and New Brunswick Electrical Power Company, Lim-  
63 ited, in case said contract is made with said Houlton Water  
64 Company, have the right to sell to any other person, firm or  
65 corporation authorized to sell and distribute electricity in said  
66 town of Houlton without first obtaining the written consent  
67 of said Houlton Water Company. All corporate powers now  
68 or hereafter conferred upon the Houlton Water Company  
69 may be used to accomplish the purposes of this section.

Sect. 11. The said corporation may mortgage or pledge a  
2 part or all of its property and franchises in this State as  
3 security for bonds issued under its charter.

Sect. 12. The said corporation shall have all the rights and  
2 be subject to the duties and liabilities of sections 3, 4, 5, 6, 7,  
3 8, 10, 16, 17, 18, 19, 20, 21, 22 and 23 of chapter 55 of the  
4 Revised Statutes, except as modified herein. It shall further  
5 be subject to all the duties incident to public service corpo-  
6 rations at common law, and to all provisions of the general

7 laws of this State hereafter passed, applicable to corporations  
8 in a similar business.

Sect. 13. All locations upon streets, roads or ways neces-  
2 sary for the purposes of this act are hereby granted, and the  
3 municipal officers of all towns named herein shall designate  
4 the streets, roads or ways so to be occupied, the places where  
5 the poles shall be set, and shall establish such reasonable  
6 restrictions as to the kind of poles, their construction and  
7 maintenance, the height of wires and the use of guard wires,  
8 as they deem proper.

Sect. 14. Before it shall be entitled to any of the provisions  
2 of this act said corporation shall, under its corporate seal,  
3 file in the office of the secretary of state a certificate desig-  
4 nating some place in the town of Presque Isle as its principal  
5 office, and a citizen of this State as an agent, upon whom  
6 process from the courts of this State may be served with like  
7 effect as if upon an officer thereof. Whenever a vacancy  
8 occurs in said designation a new agent shall be designated  
9 in the same manner, and if there be at any time no such  
10 agent then service of any process may be made on the secre-  
11 tary of state, with like effect as if on said corporation.

Sect. 15. This act shall take effect when approved.



STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,  
Augusta, March 10, 1905.

Reported by Mr. POWERS from Committee on Judiciary and ordered  
printed under joint rules.

E. M. THOMPSON, *Clerk*.