

# MAINE STATE LEGISLATURE

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# SEVENTY-SECOND LEGISLATURE

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SENATE.

No. 57

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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 formation of corporations for the  
distribution of electric power.

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

Section 1. Corporations for the purpose of making, gen-  
2 erating, selling, distributing and supplying electricity to be  
3 used by others for power for all lawful purposes may be  
4 organized under the provisions of sections five to ten  
5 inclusive of chapter forty-seven of the Revised Statutes.

Sect. 2. The certificate provided by section eight of chapter  
2 forty-seven of the Revised Statutes, to be prepared and filed  
3 in the office of the secretary of State, shall specify, in addi-  
4 tion to the statements required by said section, the cities,  
5 towns, plantations and unorganized townships within which  
6 such corporation proposes to make, generate, sell, distribute  
7 or supply electricity for power as aforesaid, and no corpora-

tion so organized shall be authorized to so make, generate,  
sell, distribute or supply electricity in any city, town, planta-  
tion or unorganized township not specified in said certificate  
except as hereinafter provided.

Sect. 3. Every corporation organized hereunder may erect  
its wires and construct and maintain its lines in, upon,  
along, over and across the roads and streets, where it is so  
authorized to supply electricity, subject, however, to the con-  
ditions and under the restrictions provided in this act.

Sect. 4. Such corporation may purchase, or take and hold  
as for public uses, land for the construction and operation of  
its lines. Land may be so taken and damages therefor may  
be estimated, secured, determined and paid as in case of rail-  
roads. With the location by it so filed with the county com-  
missioners, such corporation shall file an appropriate plan as  
a part thereof. It shall cause said location to be published in  
some newspaper printed in said town, if any, otherwise some  
newspaper printed in said county. Any person interested in  
said land may within thirty days after said publication, apply  
in writing to the county commissioners for their determina-  
tion as to the expediency of such taking, who, after such  
reasonable notice as they deem proper, and after hearing,  
shall endorse on said application and on said location their  
determination thereof. The commissioners shall be paid for  
their services and expenses as provided in section thirty-five  
of chapter fifty-one of the Revised Statutes.

Sect. 5. Any such corporation erecting and maintaining a  
dam upon its own land for the purpose of propelling its elec-  
trical machinery shall have all the rights and be subject to all  
the duties and liabilities of chapter ninety-four of the Revised  
Statutes.

Sect. 6. Any such corporation, under the direction of the  
county commissioners, may make any changes in the location  
of its lines approved by said commissioners as necessary or

4 expedient, and such changes shall be recorded where the  
5 original location was required by law to be filed and recorded.

Sect. 7. Such corporations shall be entitled to all the privi-  
2 leges and be subject to all the duties and liabilities of sec-  
3 tions three, five, six, seven, eight, ten, eleven, sixteen, seven-  
4 teen, eighteen, nineteen, twenty, twenty-one, twenty-two and  
5 twenty-three of chapter fifty-five of the Revised Statutes.

Sect. 8. No corporation organized hereunder shall have  
2 authority, except by special act of the legislature, to take,  
3 appropriate or use the lines, land or other property of any  
4 other corporation, person or firm, doing or authorized to do a  
5 similar business, without the consent of such other corpora-  
6 tion, person or firm.

Sect. 9. Any corporation organized hereunder, by vote at a  
2 meeting of its stockholders, called for the purpose, may issue  
3 its bonds, on such time and rates and in such amounts as it  
4 may deem expedient, to provide means for constructing its  
5 lines and plant, funding its floating debt, or for the payment  
6 of money borrowed for any lawful purpose, and may mort-  
7 gage or pledge, as security therefor, a part or all of its prop-  
8 erty and franchises, then owned or thereafterwards to be  
9 acquired.

Sect. 10. Any such corporation may at any time file in the  
2 office of the secretary of State an additional certificate  
3 extending its franchises to such cities, towns, plantations and  
4 unorganized townships as may be therein named.

Sect. 11. Any such corporation may sell, distribute and  
2 supply electricity for lighting purposes in any city, town or  
3 plantation where no other company, person or firm is  
4 engaged in supplying electricity for lighting purposes.

Sect. 12. Nothing in the charter of any corporation, char-  
2 tered by special act of the legislature, or in any general law  
3 now in force, shall prevent any corporation organized here-  
4 under from selling, distributing and supplying electricity for

5 power purposes only in any city, town, plantation or unor-  
6 ganized township named in any certificate filed hereunder.

Sect. 13. All corporations organized hereunder shall serve  
2 the public reasonably accessible by their lines as erected,  
3 faithfully and impartially at reasonable rates, and shall for-  
4 ever be subject to public control and to the general laws of  
5 the State. They may make contracts with individuals and  
6 other corporations for the sale of power in such quantities  
7 and for such times as may be agreed upon.

Sect. 14. Nothing herein contained shall exclude any other  
2 corporation organized hereunder or any corporation, person  
3 or firm lawfully authorized to supply electricity for any pur-  
4 pose from selling, distributing and supplying electricity for  
5 use as power in any city, town, plantation or unorganized  
6 township specified as aforesaid in the certificate of any cor-  
7 poration organized under this act.

Sect. 15. Any corporation, heretofore organized under the  
2 general laws of the State or created by special act of the  
3 legislature for the purpose of selling electricity for light, heat  
4 and power, or for any of said purposes, may avail itself of the  
5 rights and privileges of this act and be subject to all the  
6 duties and obligations by filing in the office of the secretary of  
7 State a certificate specifying the cities, towns, plantations and  
8 unorganized townships within which it proposes to make,  
9 generate, sell, distribute or supply electricity for power, under  
10 this act.

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## STATE OF MAINE.

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IN SENATE, February 7, 1905.

Presented by Mr. HESELTON of Kennebec, and pending reference  
to the Committee on the Judiciary, on motion by the same Senator, laid  
on the table to be printed.

KENDALL M. DUNBAR, *Secretary.*