

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 530

STATE OF MAINE.

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

AN ACT to regulate the use of joint poles in the public streets
by Electrical Companies.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Whenever, after notice and hearing, the municipal officers of any city or town, in which any person, firm or corporation maintaining wires attached to poles located in any public street or way for conveying electric current or for the transmission of telephone or telegraph messages, determine that public safety and the public welfare require the same to be done, they may revoke any locations for poles already granted in any of the public streets or ways and order such poles removed, which shall be done within a reasonable time by the person, firm or corporation

11 owning such poles, provided, however, other suitable loca-
12 tions, or the right to use other poles jointly, shall be granted
13 by the municipal officers to such person, firm or corporation.
14 The municipal officers of cities and towns are hereby em-
15 powered, whenever in their judgment the same is practical
16 and can be done without unreasonably interfering with the
17 operation of the business of any person, firm or corporation,
18 to order, after due notice and hearing, the wires of any
19 person, firm or corporation, used for conveying electrical
20 current or the transmission of telephone or telegraph mes-
21 sages and attached to poles located in any of the public
22 streets or ways of such city or town, to be removed and at-
23 tached to such other poles, however owned and controlled,
24 that are legally located in the public streets or ways, as said
25 municipal officers may designate. Said municipal officers
26 may establish such regulations as they may deem necessary
27 for the joint use of such poles, and in case the several par-
28 ties so using such poles cannot agree as to the proportionate
29 share each shall bear of the original cost and of the cost of
30 maintaining such poles, or a proper annual rental for the use
31 of the same, the municipal officers may, after hearing the
32 parties determine the proportional part of such expense each
33 party shall justly bear, or a proper rental therefor, and the
34 owner of such poles shall have an action on the case in as-
35 sumpit to recover of each party so using such poles his share
36 of such expense, or the rental thereof, as determined by said
37 municipal officers. All orders and decisions of the municipi-

38 pal officers under this act shall be in writing and a record
39 thereof shall be made by the City or Town Clerk, and a copy
40 thereof attested by the City or Town Clerk served upon any
41 of the parties affected thereby shall be sufficient notice to the
42 party so affected to render compliance therewith obligatory.

Sect. 2. The provisions of this act shall not apply to
2 towns of less than three thousand inhabitants.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 10, 1909.

Reported by Mr. ROUNDS from Committee on Telegraphs
and Telephones and ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*