

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

SENATE.

No. 375

STATE OF MAINE.

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

AN ACT to incorporate the Barrows Falls Light and Power
Company.

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

Section 1. Fred H. Crane of Monson in the county of
2 Piscataquis and State of Maine, George F. Barnard of
3 Worcester in the county of Worcester and Commonwealth
4 of Massachusetts, and William E. Jones of Monson in the
5 county of Piscataquis and State of Maine, their associates,
6 successors and assigns, are hereby made a body corporate
7 and politic to be known as the Barrows Falls Light and
8 Power Company, and as such shall be possessed of all the
9 powers, privileges and immunities, and subject to all the du-

10 ties and obligations conferred on corporations by law neces-
11 sary to effect the objects of their incorporation.

Sect. 2. The corporation hereby created shall be located
2 at Monson in the county of Piscataquis and State of Maine.

Sect. 3. Said company is hereby authorized and empow-
2 ered to build a dam across the Piscataquis River at Bar-
3 rows Falls in the town of Monson, for the purpose of stor-
4 ing, using and selling water for manufacturing and mechan-
5 ical purposes, and for producing, distributing, supplying and
6 selling electricity, and shall have all the rights and privileges
7 enumerated in chapter 94 of the Revised Statutes of the
8 year 1903, and be subject to all the conditions and liabilities
9 specified in said chapter.

Sect. 4. The construction of said dam shall not interfere
2 with any rights of driving logs or lumber upon said river,
3 and the said company shall be compelled to build a proper
4 log sluice in said dam for the use of persons who have logs
5 or lumber to drive on said river.

Sect. 5. The capital stock of said company shall not be
2 less than fifty thousand dollars, divided into shares of one
3 hundred dollars each, with the right, by a vote of the ma-
4 jority of the stockholders, to increase this amount from
5 time to time to an amount not exceeding one hundred and
6 fifty thousand dollars.

Sect. 6. Said company is authorized to hold real and per-
2 sonal estate as may be necessary and proper, for the purposes
3 of its corporation.

Sect. 7. Said company is hereby authorized and empowered to build flumes and penstocks, erect and maintain power houses, machinery and other necessary equipment, and to set and maintain poles with cross-arms, guys and other supports, and to lay pipes and conduits with wires on said poles and in said pipes and conduits, and to construct and maintain lines of wires or other material for the transmission of electricity in and through the towns of Monson, Blanchard, Abbot, Guilford, Foxcroft, Dover, and Atkinson, in Piscataquis county, and in and through the towns of Charleston and Corinth in Penobscot county, and under, through, along, over and across the highways, ways, streets, railroads and bridges in said towns; and is hereby authorized and empowered to take as for public uses such lands as may be necessary to erect, construct, maintain and operate said transmission lines in said towns; and is hereby authorized and empowered to transmit, distribute, supply and sell electricity for lighting, heating, and power for manufacturing and mechanical purposes, or power for any lawful purpose, in said towns, to any persons or corporations who may desire to purchase the same.

Sect. 8. Said company in erecting poles, locating said lines of wires upon, along, and over and across the streets, ways and bridges, shall be subject to the laws of the State applicable to corporations which are authorized to make, generate, sell, distribute and supply electricity for lighting, heating, manufacturing or mechanical purposes, and shall

7 have all the rights and powers of such corporations in the
8 location of poles and conduits, and the construction, laying
9 and maintaining the wires.

Sect. 9. Said company shall be held liable to pay all dam-
2 ages that shall be sustained by any person or persons by the
3 taking of any lands or rights of way, and for any other in-
4 jury resulting from said acts, and if any person sustaining
5 damage as aforesaid shall not agree with said company upon
6 the sums to be paid therefor, either party on petition to the
7 county commissioners of the county of Piscataquis or the
8 county of Penobscot, as the case may be, may have such
9 damages assessed by them, and subsequent proceedings and
10 right of appeal thereon shall be had in the same manner and
11 under the same conditions, restrictions and limitations as
12 are by law prescribed in case of damage by the laying out of
13 highways.

Sect. 10. Said company is hereby authorized and empow-
2 ered to issue bonds for the purposes of its business, in such
3 amounts and on such rates and time as it may be deemed
4 expedient, and to secure the payment of principle and in-
5 terest on such bonds by proper mortgages or deeds of trust
6 on any part of its property, franchises, rights and priv-
7 ileges now owned or hereafter to be acquired by it; said
8 mortgage or mortgages to be recorded in the county or
9 counties where the land and property of said corporation is
10 situated.

Sect. 11. Said company is hereby authorized to lease or
2 sell and convey its property, rights, privileges and franchises

3 to, or merge and consolidate with any other corporation
4 which desires to so purchase or consolidate, upon such terms
5 and conditions as may be agreed upon by a vote of the stock-
6 holders of said companies.

Sect. 12. Each several town through which said com-
2 pany is authorized to construct its said lines of wire is here-
3 by authorized to enter into a contract with said company for
4 street lighting for terms of years on such terms and condi-
5 tions as may be agreed upon between the said company and
6 the selectmen of said town.

Sect. 13. The rights and powers granted under this char-
2 ter in so far as they relate solely to the sale of electricity for
3 light, heat and power, shall not be made use of by said Bar-
4 rows Falls Light and Power Company in the towns of Do-
5 ver and Foxcroft, without the consent in writing of the Do-
6 ver and Foxcroft Light and Heat Company, or in the town
7 of Guilford without the consent in writing of the Guilford
8 Electric Light and Power Company, or in the town of Mon-
9 son without the consent in writing of both the Monson
10 Light and Power Company and the Greenville Light and
11 Power Company; but the said Barrows Falls Light and
12 Power Company shall have the right to enter into contract
13 for the sale of electricity for light, heat and power, with
14 any of said companies, or any other subsequent chartered
15 companies engaged in the sale and distribution of electricity
16 in any of the towns mentioned herein.

Sect. 14. The said Barrows Falls Light and Power Com-
2 pany is hereby authorized to make and enter into contract

3 with any railroad or street railroad, for the sale of electricity
4 for power, on such terms and conditions as said light and
5 power company and any such railroad or street railroad may
6 determine.

Sect. 15. Whenever said Barrows Falls Light and Power
2 Company will set, build, extend and maintain its poles, lines
3 and wires along, and upon the public highways, town ways
4 and streets, to, into and through any of the towns aforesaid,
5 it shall cause the same to be done with as little obstruction
6 as possible to the public travel, and shall at its own expense,
7 without unnecessary delay cause to be removed all the earth
8 and other material placed in said highway, town way and
9 street in doing the work aforesaid, and said Barrows Falls
10 Light and Power Company shall be held liable to pay all
11 damages that may be sustained by any person to themselves
12 or their property. And in any case any land shall be taken
13 under and by virtue of this charter, the same proceedings
14 shall be had in assessing damages for the same as provided
15 in the statute in relation to the taking of land for highways.

Sect. 16. Said Barrows Falls Light and Power Company
2 is hereby authorized and empowered to build an additional
3 dam across said Piscataquis River above said Barrows Falls
4 either in Monson or Blanchard, on its own land, to add to
5 and reinforce its power, and shall have all the rights and
6 privileges in connection with said dam enumerated in Chap-
7 ter 94, Revised Statutes of 1903, and be subject to all the
8 conditions and liabilities specified in said chapter.

Sect. 17. Said Barrows Falls Light and Power Company
2 is hereby authorized and empowered to cross any railroad
3 with its said wires laid in pipes and conduits, but shall not
4 be allowed to cross any railroad overhead said track, without
5 permission of the board of railroad commissioners of the
6 State of Maine, first obtained upon petition therefor. The
7 expense of said crossing shall be made entirely at the ex-
8 pense of said Barrows Falls Light and Power Company;
9 and if the said railroad company and the said power com-
10 pany do not agree as to the manner and condition of cross-
11 ing, the same shall be referred on petition to said railroad
12 commissioners, who shall determine the manner and condi-
13 tion of said crossing.

Sect. 18. The first meeting of said corporation for the
2 purpose of organization may be called by written notice
3 thereof; signed by any corporator herein named, and served
4 upon or mailed to his post office address, such notice, so
5 signed, seven days at least before the time of meeting.

STATE OF MAINE.

IN SENATE,

March 10, 1909.

Reported by Mr. BAXTER from Committee on Judiciary
and laid on table to be printed under joint rules.

F. G. FARRINGTON, *Secretary.*