

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 130

House of Representatives, Feb. 4, 1913.

*Tabled pending reference to a committee by Mr. Bowler of
Bethel and ordered printed.*

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to incorporate the Sheepscot Valley Conservation
Power Company.

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

Section 1. Charles F. Achorn, Madison T. Leavitt, An-
2 drew C. Halpen, Waterman L. Dow, Sebra C. Kennedy, and
3 James R. Abbott of Whitefield, Arthur Dodge and Parker
4 Marr of Somerville, Samuel J. Sewall of Wiscasset, Wil-
5 liam Plummer of Jefferson, all in the county of Lincoln,
6 Hugh McGarrahan, John B. Albee and Edwin Bullock of
7 Windsor in the County of Kennebec, and Carson C. Peck of
8 New York City, New York, their associates, successors and

9 assigns are hereby made a body corporate by the name of
10 Sheepscoot Valley Conservation Power Company, with all the
11 rights, powers and privileges and subject to all the duties
12 and obligations incident to similar corporations as fixed by
13 the general statutes relating thereto except as otherwise pro-
14 vided herein.

Sect. 2. The purposes of said corporation are to make,
2 sell, distribute and supply electricity for lighting, heating,
3 manufacturing and mechanical purposes in the towns of
4 Albion, China and Winslow, in the county of Kennebec; in
5 the towns of Somerville, Whitefield, Alna and Jefferson in
6 the county of Lincoln; and in the town of Palermo in the
7 county of Waldo. Said corporation is further empowered
8 to sell electricity for mechanical, manufacturing, heating and
9 lighting purposes and for motive power to any other com-
10 pany or to any individual or association or to any electric
11 railway which may be now or hereafter authorized to make
12 use of same for such purposes; provided, however, that
13 when any electricity as aforesaid is so sold and delivered for
14 use outside of said towns twenty per cent (20%) of the net
15 profits realized from such sale shall be given to the towns
16 heretofore mentioned for educational purposes and for the
17 support of the needy and deserving poor in said towns, the
18 amount to be apportioned to each town heretofore mentioned
19 according to the number of inhabitants thereof. Said cor-
20 poration shall furnish electricity for lighting purposes for
21 each and every public building, including the school build-

22 ings, now erected or which may hereafter be erected by
23 either of said towns, free of cost to the same, provided such
24 town wire such buildings for said purpose and maintain
25 wires therefrom to the nearest transmission line.

Sect. 3. It shall be unlawful for said corporation to sell
2 electricity to any firm, association or corporation or electric
3 railway to be used outside of said towns heretofore men-
4 tioned when there is any market for the same in said towns
5 for the purposes heretofore stated or the same is demanded
6 by any enterprise that would develop the Sheepscot Valley.
7 The municipal officers of the towns heretofore mentioned
8 shall at all times have access to the books of said company
9 for the purpose of ascertaining the amounts due their re-
10 spective towns.

Sect. 4. Said corporation is hereby given the right to
2 construct and maintain dams with the right of flowage on
3 the Sheepscot River on the Baker farm near the outlet of
4 Patricktown pond in the towns of Windsor and Jefferson, at
5 the outlet of Travel pond in the town of Jefferson, south of
6 the Charles Glidden mill privileges, so called, at the outlet
7 of James pond, near the Solomon E. Hopkins and the Bruce
8 privilege, so called, in the town of Somerville, at the outlet
9 of Sheepscot Great pond, north of the G. W. Plummer
10 privileges and the Christopher Erskine privileges, so called,
11 in the town of Palermo and at a point near the Sanford
12 Partridge and Charles Hutchins privileges, on the Sheep-
13 scot river near North Whitefield in the town of Whitefield;

14 and to acquire by purchase or otherwise any other water
15 powers or privileges incident to or necessary for the use
16 and occupation of same, or any property necessary for the
17 construction and maintenance of said dams, provided, how-
18 ever, that the body of water naturally flowing in said river
19 or its tributaries shall not be diminished to the detriment
20 of any riparian owner, and provided further that the own-
21 er or owners of any water power, property or privilege so
22 acquired, or any persons who furnish labor or material in
23 the construction of said work, shall have the right to sub-
24 scribe for an amount of stock in said company equal to the
25 value of the property or privilege so acquired or the labor or
26 material so furnished in lieu of a specific sum of money. But
27 nothing herein shall be construed as granting to said com-
28 pany the right to flow existing privileges not acquired, or
29 take any water power by right of eminent domain.

Sect. 5. Said corporation is hereby authorized to cut and
2 maintain canals from the said dams and to erect and main-
3 tain necessary side dams appurtenant thereto, and for the
4 purpose of constructing and maintaining said dams and can-
5 als and of erecting electrical or other plants thereon, may
6 take, occupy and enclose any land adjoining the same which
7 may be necessary for building or repairing the same and
8 other necessary purposes, and may blow up and remove any
9 rocks in said river and take any of the land near said river
10 when necessary to said purposes. Said corporation may
11 enter upon any land for the purpose of making necessary

12 preliminary surveys and setting marks and monuments there-
13 for and may take and hold by purchase or otherwise, any
14 real estate, rights of way or of water.

Sect. 6. For all damage occasioned by flowage, said cor-
2 poration shall not be liable to an action at common law, but
3 the person injured may have a remedy by complaint for flow-
4 age under the mill acts of this state. For all other damage
5 occasioned by the taking of land or materials as herein pro-
6 vided the person injured may proceed to recover therefor
7 in the same manner and under the same restrictions and
8 limitations as are by law provided in the case of damages
9 in laying out highways.

Sect. 7. All locations upon streets, roads or ways in said
2 towns, necessary for the purposes of this act, are hereby
3 granted and the municipal officers of said towns shall desig-
4 nate the streets, roads and ways, in their respective towns,
5 so to be occupied, the places where the poles shall be set, and
6 may establish reasonable restrictions as to the kind of poles,
7 their construction and maintenance, the height of wires and
8 the use of guard wires.

Sect. 8. Except as otherwise provided herein, sections
2 three, four, five, six, seven, eight, ten, eighteen, nineteen,
3 twenty, twenty-one, twenty-three and twenty-four of chap-
4 ter fifty-five of the Revised Statutes are hereby made ap-
5 plicable to the corporation hereby created.

Sect. 9. The capital stock of said corporation shall be two
2 hundred thousand dollars, which amount may, however, be

3 increased to not exceeding three hundred thousand dollars
4 by the stockholders thereof at any time.

Sect. 10. The said corporation, for the purposes of this
2 act, is hereby authorized to issue bonds and to secure the
3 same by mortgages of its property and franchises.

Sect. 11. The said corporation is authorized to purchase
2 electric current, for the purposes of this act, from any in-
3 dividual, corporation or firm.

Sect. 12. The first meeting of said corporation may be
2 called by written notice thereof signed by any incorporator
3 herein named served upon each incorporator by a copy of
4 same in hand or mailed, postage prepaid, at least seven days
5 prior to the day named therein for such meeting.