

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

SEVENTY-SIXTH LEGISLATURE

---

---

SENATE

NO. 90

---

---

*In Senate, Jan. 24, 1913.*

*Presented by Senator Boynton of Lincoln, and on motion by same senator laid on the table for printing, pending reference to a committee.*

*W. E. LAWRY, Secretary.*

---

---

STATE OF MAINE

---

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

---

AN ACT to enlarge the powers of the Sheepscot Valley Power  
Company.

---

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

Section 1. The Sheepscot Valley Power Company, a corporation organized and existing under the laws of the State of Maine, is hereby authorized to make, generate, sell, distribute and supply electricity for lighting, heating, manufacturing and mechanical purposes in the towns of Albion, China and Windsor, in the county of Kennebec, and in the 7 towns of Somerville, Whitefield, Alna and Jefferson, in the 8 county of Lincoln, and in the town of Palermo, in the

9 county of Waldo; and said corporation is further empow-  
10 ered to sell electricity for mechanical, manufacturing and  
11 heating purposes in the city of Rockland and in the towns  
12 of Union, Warren, South Thomaston, Thomaston, Rockport  
13 and Camden, all in the county of Knox, and in the town of  
14 Waldoboro, in the county of Lincoln, and to sell the same  
15 for lighting purposes to any company now, or which may  
16 hereafter be, authorized to do a general lighting business in  
17 said city and towns, and where power is sold to persons,  
18 firms or corporations for manufacturing purposes, to sell  
19 the same to said persons, firms or corporations in connec-  
20 tion therewith for lighting the premises owned or occupied  
21 by said persons, firms or corporations, and to sell the same  
22 for motive power in the operation of any and all electric  
23 railways.

Sect. 2. Said corporation is further authorized to con-  
2 struct and maintain a dam with the right of flowage in the  
3 Sheepscot river at a point near the location of the Achorn  
4 Privilege, so-called, north of the highway bridge crossing  
5 said river at Coopers Mills in the town of Whitefield, and  
6 to acquire by purchase or otherwise, any other water  
7 powers, privileges and property incident thereto on said  
8 river; and to construct and maintain dams thereon. But  
9 nothing herein shall be construed as granting to said com-  
10 pany the right to flow existing privileges not acquired, or  
11 take any water power by right of eminent domain.

Sect. 3. Said corporation is hereby authorized to con-

2 struct and maintain dams at the foot of Pleasant pond,  
3 Travel pond, Patricktown pond, James pond and Sheepscot  
4 Great pond for the purposes of storing water therein, and  
5 the damages for flowage caused by such dams may be re-  
6 covered in accordance with the provisions of chapter ninety-  
7 four of the Revised Statutes, provided that the volume of  
8 water naturally flowing in said river or its tributaries shall  
9 not thereby be diminished to the detriment of any riparian  
10 owner.

Sect. 4. 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  
5 canals and of erecting electrical or other plants thereon,  
6 may take, occupy and enclose any land adjoining the same  
7 which may be necessary for building or repairing the same  
8 and other necessary purposes, and may blow up and remove  
9 any rocks in said river and take any of the land near said  
10 river when necessary to said purposes. Said corporation  
11 may enter upon any land for the purpose of making neces-  
12 sary preliminary surveys and setting marks and monuments  
13 therefor and may take and hold by purchase or otherwise,  
14 any real estate, rights of way or of water.

Sect. 5. Said company is authorized to make contracts  
2 with any municipality, corporation or individual for the sup-  
3 ply, either of water power or of electricity within the terri-  
4 tory described in section one, and may establish written reg-

5 ulations for the supply of the same and may sell or lease any  
6 power not used by it on the dams aforesaid.

Sect. 6. Said corporation shall have authority to con-  
2 struct and maintain its lines, poles, wires and fixtures for  
3 the transmission of electricity over, across and under roads  
4 and streets in the entire territory above described, subject,  
5 however, to the conditions and restrictions of the general  
6 laws.

Sect. 7. Said company shall be liable in all cases to repay  
2 to said towns all sums of money that said towns, or either  
3 of them, may be obliged to pay on any judgment recovered  
4 against them or either of them, for damages occasioned by  
5 any obstruction, taking up or displacement of any street  
6 or road by said company, together with counsel fees, and  
7 other expenses necessarily incurred in defending the same;  
8 provided, however, that said company shall have notice of  
9 any suit wherein such damages shall be claimed, and shall  
10 be allowed to defend the same at its own expense.

Sect. 8. Said company shall file in the registry of deeds,  
2 for the county where the land lies, plans of the location of  
3 all lands and rights of way, taken under the provisions of  
4 this act, and no entry shall be made on any land, except to  
5 make surveys as aforesaid, until the expiration of ten days  
6 from such filing; and with such plan, the company may file  
7 a statement of the damages it is ready to pay to any person,  
8 for any property so taken, and if the amount finally awarded  
9 does not exceed the sum, the company shall recover costs

10 against said person, otherwise such person shall recover  
11 costs against the company.

Sect. 9. Said corporation shall be held liable to pay all  
2 damages that shall be sustained by any person or corpora-  
3 tion, by the taking of lands, rights of way or of water, or  
4 other property as aforesaid, and if such person or corpora-  
5 tion, sustaining damages, as aforesaid, shall not agree with  
6 said company upon the sum to be paid therefor, either  
7 party, on petition to the county commissioners of the county  
8 within which said land or any part thereof lies, within  
9 twelve months after such plans are filed, may have such  
10 damages assessed by them, and subsequent proceedings and  
11 rights of appeal thereon as shall be had in the same manner  
12 and under the same restrictions and limitations as are by  
13 law prescribed in the case of damages in the laying out of  
14 highways. Failure to apply for damages within said twelve  
15 months shall be held to be a waiver of the same. For all  
16 damages occasioned by flowage, said corporation shall not  
17 be liable to an action at common law, but the person injured  
18 may have a remedy by complaint for flowage, in which the  
19 same proceedings shall be had as in a complaint for flowage  
20 under the mill acts of this State.

Sect. 10. Said company is hereby authorized to increase  
2 its capital stock from time to time, and may issue its bonds  
3 to an amount not exceeding its capital stock and secure the  
4 same by mortgage of its franchise and property.