

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

SENATE

NO. 114

In Senate, Feb. 17, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Legal Affairs.

Committee on Reference.

Presented by Mr. Herrick of Franklin.

STATE OF MAINE

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

AN ACT to Incorporate the Oquossoc Light & Power Company.

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

Section 1. F. B. Colby, H. C. Riddle, W. D. Quimby,
2 F. G. MacKenzie, John A. Russell, R. H. Ellis and W. S.
3 Marble of Rangeley, in the County of Franklin and State
4 of Maine, their associates, successors and assigns, are here-
5 by incorporated under the name of the Oquossoc Light &
6 Power Company, with all the rights and privileges, and
7 subject to all the obligations incident to corporations organ-
8 ized under the general law, except as otherwise herein pro-
9 vided.

Sect. 2. The location and principal office of said corpora-
2 tion shall be in the town of Rangeley in Franklin County.

Sect. 3. Said corporation is hereby authorized and empowered to generate, buy, sell, distribute, and supply electricity for lighting, heating, manufacturing, and mechanical purposes, in the town of Rangeley, and Rangeley Plantation, Dallas Plantation, Sandy River Plantation, Township 3, Range 4, Township 3, Range 3, in Franklin County, and Township 4, Range 3, in Oxford County, with all the rights and powers and subject to all the duties, liabilities and obligations of similar corporations organized under the general laws of this state.

Sect. 4. The capital stock shall not exceed \$50,000, to be fixed by the corporation from time to time.

Sect. 5. Said corporation is hereby authorized to construct dams and develop water power along the outlet to Kennebago Lake and especially to construct and maintain a dam at Kennebago Falls, so called, about one mile from the outlet to said lake, in Township 3, Range 4, Franklin County, for developing power for the uses of said company, for the purposes for which it was created and may take all lands and other property necessary to carry into effect the purposes for which created. The damages for flowage under the provisions of this section to be ascertained in the manner described in chapter 94 of the revised statutes.

Sect. 6. Said company is also hereby authorized for the purposes aforesaid, to cut and maintain canals along said Kennebago Stream, to any point in the territory in which it has a right to operate, and may construct, erect and

5 maintain all necessary dams and side dams, appurtenances
6 thereto and erect electrical and other plants and buildings
7 and take and occupy all lands and appurtenances thereto
8 belonging as for public use, as may be necessary for its
9 purposes or to carry out the provisions of this act.

Sect. 7. Said company is also authorized to enter into such
2 contracts as may be mutually agreed upon with the Union
3 Water Power Company, to develop power at the outlet and
4 along the stream flowing from Rangeley Lake, by using the
5 existing dam or otherwise. If the consent of the said Union
6 Water Power Company is obtained as aforesaid, then all
7 the rights, powers and privileges of this company, herein
8 granted, applying to the development of Kennebago stream,
9 shall apply to the stream at the outlet of Rangeley Lake.
10 Each of said corporations is hereby empowered, for the
11 purposes named in this section, to transfer, sell and assign,
12 any or all of its rights and privileges as herein or before
13 granted.

Sect. 8. Said company may enter upon any land that is
2 necessary for its purposes and take and hold the same by
3 purchase or otherwise, as for public use, and may take and
4 occupy all rights of way necessary for access to its various
5 buildings and structures from the nearest highway and may
6 enter upon any such land for the purpose of making pre-
7 liminary surveys and making marks and monuments there-
8 for.

Sect. 9. Said company shall file in the Registry of Deeds, 2 for county in which property lies, plans of all the location of 3 all lands and all rights of way, water rights and other prop- 4 erty and rights taken under the provisions of this act and 5 such land, rights of way, water rights and other property 6 rights, shall be deemed to be taken as of the date of such 7 filing but no entry shall be made on any land, except to make 8 surveys as aforesaid, until the expiration of ten days from 9 the filing.

Sect. 10. Said company shall have power to construct and 2 maintain its lines, poles, wires and fixtures, for transmission 3 of electricity over and across and under roads, and streets, 4 in the territory above named, subject, however, to the con- 5 ditions and restrictions of the general law and shall have 6 the right to construct and maintain its transmission lines, 7 poles, and wires as aforesaid, across private property, but 8 shall be liable to pay damages to the owners thereof, the 9 same to be ascertained in the manner herein provided.

Sect. 11. In any dam or dams erected under the provis- 2 ions of this act, said company shall construct and maintain 3 suitable locks and sluices for the passage of logs and lum- 4 ber, and may make such improvements as it deems expedient, 5 along said stream, as will facilitate the driving of logs and 6 lumber thereon, and said company shall during the log 7 driving season furnish the owners of logs and lumber with 8 water for the purpose of driving the same from Kennebago 9 Lake to the outlet of said Kennebago Stream, provided.

10 however, that this company shall be required only to fur-
11 nish stored water for that purpose sufficient to maintain the
12 natural flow of water in said stream.

Sect. 12. Said corporation shall be liable to pay all dam-
2 ages that may be sustained by any person, persons or cor-
3 porations, by the taking of land and other property and if
4 such owners as aforesaid cannot agree with said corporation
5 upon the sums to be paid therefor, they may cause their
6 damages to be assessed in the manner and subject to the
7 same conditions, restrictions and limitations as provided by
8 law in case of damages by the laying out of highways.

Sect. 13. The state, the towns, and plantations aforesaid,
2 or any municipal corporation therein, is authorized to con-
3 tract with this corporation for a supply of electricity for
4 municipal purposes for a term of years and renew the same
5 and to raise money, therefor.

Sect. 14. This corporation, for the purposes of this act,
2 is authorized to issue bonds from time to time in such
3 amounts and on such rates and terms as it may deem expe-
4 dient and to secure the same by appropriate mortgages upon
5 its property and franchises, providing the total amount shall
6 at no time be in excess of the amount of capital stock issued
7 and subject to the approval of the Public Utilities Commis-
8 sion of this state.

Sect. 15. Said corporation is hereby authorized to ac-
2 quire by purchase, the capital stock, plants, properties,
3 rights, franchises and locations of other corporations, firms,

4 or individuals, engaged in any of the kinds of business here-
5 inbefore named in said towns and plantations, and such cor-
6 porations, firms, or individuals are hereby authorized to con-
7 vey, transfer, and to assign such plants, properties, fran-
8 chises and privileges and locations to said Oquossoc Light
9 & Power Company, which shall have, hold, enjoy and exer-
10 cise the same for its own use and purposes as though the
11 same were originally granted to it.

Sect. 16. Said corporation shall acquire by contract, or
2 by appraisement and conveyance, all the properties, rights,
3 privileges, and franchises of the Rangeley Light & Power
4 Company, used in supplying electricity in the town of
5 Rangeley and on such purchase and conveyance, it shall suc-
6 ceed to enjoy all such properties, franchises and rights of
7 such company.

Sect. 17. In case this company is unable to agree with the
2 said Rangeley Light & Power Company upon the purchase
3 price to be paid for the property, franchises and rights of
4 the said Rangeley Light & Power Company, the purchase
5 price therefor shall be ascertained and fixed by a commis-
6 sion, one member to be selected by this corporation, one
7 member by the Rangeley Light & Power Company, and the
8 third by the two members so selected, if they are able to
9 agree. If they are not able to agree, then said third mem-
10 ber shall be appointed by any Justice of the Supreme Judi-
11 cial Court, upon application therefor made by either party.
12 The majority of said commission shall be required to sign

13 any award so made. On payment or tender of the amount
14 so determined by this corporation to the Rangeley Light &
15 Power Company, then all of its property rights and fran-
16 chises shall become the property rights and franchises of
17 this corporation, free from all liabilities and obligations of
18 the said Rangeley Light & Power Company.

Sect. 18. On or before July 1, 1916, this company shall
2 notify in writing the Rangeley Light & Power Company of
3 its desire to acquire said property of said Rangeley Light &
4 Power Company, and if said Rangeley Light & Power Com-
5 pany fail to select its member of said commission, to ap-
6 praise its plant within thirty days thereafter, then this com-
7 pany shall have all the rights, powers and privileges enum-
8 erated in this act, except the right to acquire the property of
9 the Rangeley Light & Power Company as provided in this
10 and the two preceding sections.

Sect. 19. The first meeting of this corporation may be
2 called by any corporator, by mailing, postage prepaid, a
3 written notice naming the time and place of such meeting, to
4 each of the other corporators, seven days at least before
5 the day of the meeting. Any member may act at such meet-
6 ing by written proxy.