

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SEVENTH LEGISLATURE

SENATE

NO. 364

In Senate, March 16, 1915.

*Reported by Sen. Bartlett from Committee on Legal Affairs,
and ordered printed under joint rules.*

W. E. LAWRY, Secretary.

STATE OF MAINE

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 sub-
7 ject to all the obligations incident to corporations organized
8 under the general law, except as otherwise herein provided.

Sect. 2. The location and principal office of said corpo-
2 ration shall be in the town of Rangeley in Franklin county.

Sect. 3. Said corporation is hereby authorized and em-
2 powered to generate, buy, sell, distribute, and supply elec-

3 tricity for lighting, heating, manufacturing, and mechanical
4 purposes, in the town of Rangeley, and Rangeley Planta-
5 tion, Dallas Plantation, Sandy River Plantation, Township
6 3, Range 4, Township 3, Range 3, in Franklin county, and
7 Township 4, Range 3, in Oxford county, with all the rights
8 and powers and subject to all the duties, liabilities and obli-
9 gations of similar corporations organized under the general
10 laws of this state.

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

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

Sect. 6. Said company is also hereby authorized for the
2 purposes aforesaid, to cut and maintain canals along said
3 Kennebago stream, to any point in the territory in which
4 it has a right to operate, and may construct, erect and main-
5 tain all necessary dams and side dams, appurtenances there-
6 to and erect electrical and other plants and buildings and

7 take and occupy all lands and appurtenances thereto belong-
8 ing as for public use, as may be necessary for its purposes
9 or to carry out the provisions of this act, returning the
10 water thus diverted, back into said stream.

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

3 of all lands and all rights of way, water rights and other
4 property and rights taken under the provisions of this act
5 and such land, rights of way, water rights and other prop-
6 erty rights, shall be deemed to be taken as of the date of
7 such filing but no entry shall be made on any land, except
8 to make surveys as aforesaid, until the expiration of ten
9 days from the filing.

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

Sect. 11. In any dam or dams erected under the provisions
2 of this act, said company shall construct and maintain suit-
3 able locks and sluices for the passage of logs and lumber,
4 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 Kennebagō
9 lake to the outlet of said Kennebagō stream, provided, how-
10 ever, that this company shall be required only to furnish

11 stored water for that purpose sufficient to maintain the nat-
12 ural 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 corpora-
5 tion 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 town, 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 ex-
4 pedient and to secure the same by appropriate mortgages
5 upon its property and franchises, providing the total amount
6 shall at no time be in excess of the amount of capital stock
7 issued and subject to the approval of the public utilities
8 commission of this state.

Sect. 15. Said corporation is hereby authorized to acquire
2 by purchase, the capital stock, plants, properties, rights,
3 franchises and locations of other corporations, firms or indi-
4 viduals, engaged in any of the kinds of business herein-

5 before named in said towns and plantations, and such cor-
6 porations, firms or individuals are hereby authorized to
7 convey, 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 and its successors, and on such purchase and con-
5 veyance, it shall succeed to enjoy all such properties, fran-
6 chises and rights of 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
3 of its desire to acquire said property of said Rangeley Light
4 & Power Company, and if said Rangeley Light & Power
5 Company fail to select its member of said commission, to
6 appraise its plant within thirty days thereafter, then this
7 company shall have all the rights, powers and privileges
8 enumerated in this act, except the right to acquire the prop-
9 erty of the Rangeley Light & Power Company as provided
10 in this 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,
4 to each of the other corporators, seven days at least before
5 the day of the meeting. Any member may act at such
6 meeting by written proxy.