

MAINE STATE LEGISLATURE

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N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 782

H. P. 1270

House of Representatives, March 12, 1943.

Reported by Mr. Cousins from Committee on Public Utilities and laid on table to be printed under joint orders.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT to Incorporate the Kingman Water Power Company.

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

Sec. 1. Kingman Water Power Company, incorporated. J. Frank Campbell, Lawrence Osgood and Lannas E. Boyd, their associates, successors and assigns, are hereby created a body corporate by the name of the Kingman Water Power Company. Said corporation is authorized to do a general manufacturing, illuminating, heating, and power business in the town of Kingman, but not elsewhere and to generate and sell electricity therein for said purposes, provided however, that before it shall be authorized to sell or dispose of electricity it shall receive the certificate from the public utilities commission of the state of Maine in compliance with sections 3 and 4 of chapter 68 of the revised statutes of the state of Maine, 1930, as amended, and all sales of electricity shall be subject to the provisions of chapter 62 of said revised statutes, and amendments thereto and thereof.

Sec. 2. Location of dams. Said company is hereby authorized to build and erect dams and to cut canals in accordance with chapter 106 of said revised statutes and acts amendatory thereof. For the purpose of obtaining a site upon which to erect its power dams, said company may acquire

by purchase, or otherwise take a site near the highway bridge over the Mattawankeag river in said Kingman, but, before exercising said right of eminent domain, there shall have been paid into the treasury of the company, for capital stock, the sum of at least \$25,000, and the net cash capital assets of the company shall equal at least said sum of \$25,000.

Sec. 3. Adjustment of damages. Damages for flowing lands and cutting canals shall be assessed and secured in accordance with the provisions of said chapter 106 and amendments thereto; damages for the taking of land for a dam site and all questions with respect to said taking shall be assessed and determined strictly in accordance with sections 11 to 27 inclusive of chapter 69 of said revised statutes which are hereby made applicable thereto.

Sec. 4. Passing of logs and lumber. All erections shall have ample provisions for the passing of logs and lumber and nothing herein contained shall impair the existing rights of the public and/or others to use the waters of the Mattawankeag river, and its tributary lakes and streams, for log driving or other purposes.

Sec. 5. Capital stock. The amount of the capital stock may be fixed by the corporation, at such sum as is deemed requisite for the purposes of the corporation but not in excess of \$50,000 nor less than \$25,000.

Sec. 6. Meetings, how called. The first meeting of the incorporators for the organization may be called on written notice by any one of them to the other two, mailed postpaid at least 5 days before the date set for said meeting, naming the time, place and purposes of such meeting; and at such meeting a president, secretary, treasurer and directors may be chosen and by-laws adopted, and any corporate business transacted.

Sec. 7. Incidental powers granted. All incidental powers, rights and privileges, necessary to the accomplishment of the main object herein set forth are granted to this corporation.

Sec. 8. Existing statutes not affected; rights conferred. Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. All rights and duties herein mentioned shall be exercised and performed in accordance with all applicable provisions of chapter 56 and chapter 62 of said revised statutes and acts amendatory thereof and additional thereto.

Sec. 9. Limitation. This act shall become null and void and of no effect unless on or before July 15, 1945, the said dam site has been ac-

quired and construction of said dams and/or canals has been actually commenced and the requisite \$25,000 has been paid into the treasury in accordance with section 2 of this act.