

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-THIRD LEGISLATURE
OF THE
STATE OF MAINE
1907.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1907.

Chapter 258.

An Act to incorporate Ossipee Valley Power Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Corporators. Section 1. Charles A. Bodwell, Will J. Bodwell and Stillman A. Bodwell, their associates, successors and assigns, are hereby made a body corporate by the name of Ossipee Valley Power Company, with all the powers, rights and privileges and subject to all the duties and obligations conferred and imposed on corporations by law, except as otherwise provided herein.

—corporate name.

Capital stock.

Section 2. The capital stock of said corporation shall be two hundred thousand dollars divided into shares of one hundred dollars each. Said capital stock may be increased from time to time by vote representing a majority of the capital stock issued, but shall not exceed five hundred thousand dollars.

Purposes.

Section 3. The purposes of said company are to develop water powers on Little Ossipee river and tributaries thereof in the county of York, and to store and regulate the flow of the waters of said river and tributaries so that said waters may be economically employed for manufacturing and mechanical purposes, to erect and maintain dams, mills and buildings on or adjacent to said river and tributaries; to furnish water power for manufacturing and mechanical purposes; to generate, make, buy, sell, distribute and supply electricity and electric power for lighting, heating, manufacturing, mechanical and transportation and other power purposes in the towns of Shapleigh, Newfield, Limington, Waterboro and Alfred in said county of York; to generate, sell and supply electricity and electric power to any and all electric light, power and transportation companies doing business in any or all towns adjacent to said towns of Shapleigh, Newfield, Limington, Waterboro and Alfred, with all the rights, privileges and powers and subject to all the restrictions and liabilities by law incident to corporations of a similar nature.

May take and hold real estate.

Section 4. In order to accomplish the purposes aforesaid, said company may take and hold any and all real estate by purchase, lease or otherwise, but not by the right of eminent domain, along and adjacent to said river and tributaries thereof, and in said towns, which it may deem necessary or convenient therefor, together with necessary or convenient rights of way from the public ways in said county to property so acquired by said company. It may construct and maintain dams and reservoirs for the storage of water upon said river and tributaries thereof, and may store and retain the waters of said river and tributaries. Said company is hereby authorized to remove any

—not by right of eminent domain.

—may construct and maintain dams, etc.

and all rocks in said river and tributaries when necessary to their said purposes; and they may also erect and maintain piers above any dam or dams erected or purchased by said company, for the purpose of holding lumber, provided a suitable passage or channel is kept and maintained for floating logs and lumber over the pond or ponds caused by said dam or dams, and a suitable sluice is also maintained in said dam or dams for the passage of logs or lumber. Provided that this act shall not be construed as granting exclusive right to said company to the use of said river and tributaries, but only such reasonable and necessary use thereof for the purposes herein specified as may be exercised consistently with the enjoyment of similar and other property rights or privileges already existing or subsequently acquired by other parties.

—may
remove
rocks.
—may erect
piers.

—proviso.

Section 5. Said company shall have the right to acquire by purchase or lease, any existing dam or dams, water powers or privileges upon said river and tributaries thereof, and in case it so purchases any such dam, water power or privileges, it may acquire by purchase, lease or otherwise, any and all real estate which it may deem necessary or convenient for the purposes aforesaid, together with necessary or convenient rights of way from public ways to property so taken or otherwise acquired by said company.

May acquire
existing
dams, etc.

Section 6. Said company shall have the right to raise and rebuild any dam which it may purchase, but the damages by flowage caused by the increased height of any such dam, or by any new dam erected by it, may be recovered by complaint, as provided in chapter ninety-four of the revised statutes.

May raise
and rebuild
dams.

—damage by
flowage, how
recovered.

Section 7. Said company shall in no way hinder or prevent owners of existing mills or dams upon said river and tributaries thereof from obtaining, in times of high water, a sufficient head to operate their mills, and in times of low water an amount equal to the ordinary flow of the stream at such times.

Shall not
obstruct
natural flow
of streams.

Section 8. Said company is hereby empowered to set poles and extend wires and lay its pipes and conduits and construct and maintain its lines in, upon, along, over, across and under the roads, streets, and also land owned, or hereafter acquired, or land over which said company may acquire rights of way, in the towns of Shapleigh, Newfield, Limington, Waterboro and Alfred for the purpose of furnishing electric lights and electricity for heating, manufacturing, lighting, mechanical and transportation purposes for public and private use in said towns in said county of York, under such reasonable restrictions as may be imposed by the municipal officers of said towns, subject to the general laws of the state regulating the erection of posts

May set
poles, extend
wires, etc.,
in certain
towns.

—restrictions.

CHAP. 258

and lines and laying pipes and conduits for the purposes of electricity.

May make contracts for supplying electricity.

Section 9. Said company is hereby authorized to make contracts with said towns of Shapleigh, Newfield, Limington, Waterboro and Alfred in York county, and with any and all other corporations, and individuals for the purpose of supplying electricity for light, heat and power, as contemplated by this act, and said towns, by their selectmen, and other corporations, are hereby authorized to enter into contracts with said company for the supplying of electricity for light, heat and power, and for such exemption from public burden as such towns and such corporations and said company agree upon, which, when made, shall be legal and binding upon all parties.

Shall remove its obstructions from streets.

Section 10. Said company, at its own expense, without unnecessary delay, shall remove any and all obstructions in any street or public way made in erecting or laying the lines or conduits for any purposes contemplated in this act and cause earth disturbed to be properly replaced. It shall not be allowed to obstruct or impair the use of any public or private drain or gas pipe, sewer, telegraph, telephone or railroad wire, but may cross, or when necessary, change the direction of any private wire or pipe, drain or sewer in such manner as not to obstruct or impair the use thereof, being responsible to the owner, or other person, for any injury occasioned thereby, in an action on the case.

—shall not impair use of drains.

May issue bonds.

Section 11. Said company may issue its bonds upon such rates and time, not exceeding thirty years, as it may deem expedient, and in such amount as may be required for the objects of its incorporation, but shall not exceed in amount the capital stock issued from time to time, and for the purposes authorized by this act, and secure the same by mortgage upon the franchises and property of said company.

May lease or acquire property of similar corporations.

Section 12. The said company is hereby authorized to acquire by lease, purchase or otherwise, electricity, and electric power, also the power plant, pole line, property and assets, rights, privileges and franchises, or any part thereof, of any corporation now or hereafter engaged in similar business on said river and tributaries thereof, or elsewhere, and to pay therefor wholly or partly in the stocks and bonds of said Ossipee Valley Power Company, and said corporations are hereby respectively authorized to lease or sell electricity and electric power, also their respective power plants, pole lines, property and assets, rights, privileges and franchises, or any part thereof, to said Ossipee Valley Power Company, and are hereby respectively authorized to take, hold, sell, assign, transfer, mortgage, pledge and otherwise dispose

of shares of the capital stock or bonds, securities or evidences of indebtedness of said Ossipee Valley Power Company, with all the rights, powers and privileges of ownership therein conferred upon corporations under chapter forty-seven of the revised statutes and amendments thereof and additions thereto. And whenever, or as often as said Ossipee Valley Power Company has acquired by lease, purchase or otherwise, the aforesaid power plant, pole lines, property and assets, rights, privileges and franchises, or any part thereof, of any or all of said corporations, said Ossipee Valley Power Company shall thereupon succeed to and have, and is hereby authorized to exercise such of the rights, privileges and franchises of any or all of said corporations acquired as aforesaid by said Ossipee Valley Power Company.

Section 13. The principal office of said company shall be located in the town of Sanford, in the county of York, and said company may establish offices and places of business in the towns of Shapleigh, Newfield, Limington, Waterboro and Alfred.

Principal
office shall
be in
Sanford, Me.

Section 14. The first meeting of said company may be called by written notice thereof signed by any two corporators herein named, served upon each corporator by a copy of the same in hand or mailed, postage paid, at least seven days prior to the day therein named for such meeting, provided, however, that the first meeting of said company shall be legal and binding without prior notice, provided all of the corporators herein named are present in person or by attorney and assent to said meeting on the record thereof.

First meet-
ing, how
called.

Section 15. This act shall take effect when approved.

Approved February 15, 1907.

Chapter 259.

An Act to incorporate the Winter Harbor and Eastern Railway Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. Bedford E. Tracy of Winter Harbor, Edward S. Clark and G. Raymond Joy, of Eden, Edward E. Chase of Bluehill, Elmer P. Spofford of Deer Isle, Will R. Havey, Bradbury Smith, Stewart E. Phelps, of Sullivan, George H. Grant of Ellsworth, Orlando W. Foss and Charles H. Wooster of Hancock, their associates, successors and assigns are hereby constituted a corporation by the name of the Winter Harbor

Corporators.

—corporate
name.