

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842

AUGUSTA
KENNEBEC JOURNAL PRINT
1909

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

CHAP. 263

—fines, how
disposed of.

counties shall have upon complaint, original and concurrent jurisdiction with the supreme judicial and superior courts, and all fines, forfeitures, and penalties received for any violation of this act shall be paid forthwith by the person receiving the same to the state treasurer, and credited to fines and license fees for the protection of birds and game.

Approved March 20, 1909.

Chapter 263.

An Act to incorporate the Barrows Falls Light and Power Company.
Be it enacted by the People of the State of Maine, as follows:

Corporators.

Section 1. Fred H. Crane of Monson in the county of Piscataquis and state of Maine, George F. Barnard of Worcester in the county of Worcester and commonwealth of Massachusetts, and William E. Jones of Monson in the county of Piscataquis and state of Maine, their associates, successors and assigns, are hereby made a body corporate and politic to be known as the Barrows Falls Light and Power Company, and as such shall be possessed of all the powers, privileges and immunities, and subject to all the duties and obligations conferred on corporations by law necessary to effect the objects of their incorporation.

—corpo-
rate name.

Location.

Section 2. The corporation hereby created shall be located at Monson in the county of Piscataquis and state of Maine.

Powers.

Section 3. Said company is hereby authorized and empowered to build a dam across the Piscataquis river at Barrows Falls in the town of Monson, for the purpose of storing, using and selling water for manufacturing and mechanical purposes, and for producing, distributing, supplying and selling electricity, and shall have all the rights and privileges enumerated in chapter ninety-four of the revised statutes of the year nineteen hundred and three, and be subject to all the conditions and liabilities specified in said chapter.

Shall not
obstruct
driving of
logs or
lumber.

Section 4. The construction of said dam shall not interfere with any rights of driving logs or lumber upon said river, and the said company shall be compelled to build a proper log sluice in said dam for the use of persons who have logs or lumber to drive on said river.

Capital
stock.

Section 5. The capital stock of said company shall not be less than fifty thousand dollars, divided into shares of one hundred dollars each, with the right, by a vote of the majority of the stockholders, to increase this amount from time to time

to an amount not exceeding one hundred and fifty thousand dollars.

Section 6. Said company is authorized to hold real and personal estate as may be necessary and proper, for the purposes of its corporation.

May hold real and personal estate.

Section 7. Said company is hereby authorized and empowered to build flumes and penstocks, erect and maintain power houses, machinery and other necessary equipment, and to set and maintain poles with cross-arms, guys and other supports, and to lay pipes and conduits with wires on said poles and in said pipes and conduits, and to construct and maintain lines of wires or other material for the transmission of electricity in and through the towns of Monson, Blanchard, Abbot, Guilford, Foxcroft, Dover, and Atkinson, in Piscataquis county and in and through the towns of Charleston and Corinth in Penobscot county, and under, through, along, over and across the highways, ways, streets, railroads and bridges in said towns; and is hereby authorized and empowered to take as for public uses such lands as may be necessary to erect, construct, maintain and operate said transmission lines in said towns; and is hereby authorized and empowered to transmit, distribute, supply and sell electricity for lighting, heating, and power for manufacturing and mechanical purposes, or power for any lawful purpose, in said towns, to any persons or corporations who may desire to purchase the same.

May build flumes, penstocks, etc.

—set poles and lay pipes and conduits, etc.

—maintain lines of wires through certain towns.

—and along and across streets, railroads and bridges.

—may take lands.

—may supply electricity for light, heat and power, etc.

Section 8. Said company in erecting poles, locating said lines of wires upon, along and over and across the streets, ways and bridges, shall be subject to the laws of the state applicable to corporations which are authorized to make, generate, sell, distribute and supply electricity for lighting, heating, manufacturing or mechanical purposes and shall have all the rights and powers of such corporations in the location of poles and conduits, and the construction, laying and maintaining the wires.

Shall be subject to the laws of the state in erecting poles and locating lines of wires.

Section 9. Said company shall be held liable to pay all damages that shall be sustained by any person or persons by the taking of any lands or rights of way, and for any other injury resulting from said acts, and if any person sustaining damage as aforesaid shall not agree with said company upon the sums to be paid therefor, either party on petition to the county commissioners of the county of Piscataquis or the county of Penobscot, as the case may be, may have such damages assessed by them, and subsequent proceedings and right of appeal thereon shall be had in the same manner and under

Liable for damages.

—damages, how assessed if parties fail to agree.

CHAP. 263

May issue bonds and mortgage property.

the same conditions, restrictions and limitations as are by law prescribed in case of damage by the laying out of highways.

Section 10. Said company is hereby authorized and empowered to issue bonds for the purposes of its business, in such amounts and on such rates and time as it may be deemed expedient, and to secure the payment of principal and interest on such bonds by proper mortgages or deeds of trust on any part of its property, franchises, rights and privileges now owned or hereafter to be acquired by it; said mortgage or mortgages to be recorded in the county or counties where the land and property of said corporation is situated.

May lease or sell its property to, or combine with any other corporation.

Section 11. Said company is hereby authorized to lease or sell and convey its property, rights, privileges and franchises to, or merge and consolidate with any other corporation which desires to so purchase or consolidate, upon such terms and conditions as may be agreed upon by a vote of the stockholders of said companies.

Towns may contract with company for street lighting.

Section 12. Each several town through which said company is authorized to construct its said lines of wire is hereby authorized to enter into a contract with said company for street lighting for terms of years on such terms and conditions as may be agreed upon between the said company and the selectmen of said town.

Shall not exercise certain rights and powers granted, in towns of Dover and Foxcroft, without consent of Dover and Foxcroft Light and Heat Co.

Section 13. The rights and powers granted under this charter in so far as they relate solely to the sale of electricity for light, heat and power, shall not be made use of by said Barrows Falls Light and Power Company in the towns of Dover and Foxcroft, without the consent in writing of the Dover and Foxcroft Light and Heat Company, or in the town of Guilford without the consent in writing of the Guilford Electric Light and Power Company, or in the town of Monson without the consent in writing of both the Monson Light and Power Company and the Greenville Light and Power Company; but the said Barrows Falls Light and Power Company shall have the right to enter into contract for the sale of electricity for light, heat and power, with any of said companies, or any other subsequent chartered companies engaged in the sale and distribution of electricity in any of the towns mentioned herein.

—or in town of Guilford.

—or in town of Monson.

May contract with railroads for sale of electricity.

Section 14. The said Barrows Falls Light and Power Company is hereby authorized to make and enter into contract with any railroad or street railroad, for the sale of electricity for power, on such terms and conditions as said light and power company and any such railroad or street railroad may determine.

Section 15. Whenever said Barrows Falls Light and Power Company will set, build, extend and maintain its poles, lines and wires along, and upon the public highways, town ways and streets, to, into and through any of the towns aforesaid, it shall cause the same to be done with as little obstruction as possible to the public travel, and shall at its own expense, without unnecessary delay cause to be removed all the earth and other material placed in said highway, town way and street in doing the work aforesaid, and said Barrows Falls Light and Power Company shall be held liable to pay all damages that may be sustained by any person to themselves or their property. And in case any land shall be taken under and by virtue of this charter, the same proceedings shall be had in assessing damages for the same as provided in the statute in relation to the taking of land for highways.

Shall not obstruct public travel.

—liable for damages.

—proceeding for damages for lands taken.

Section 16. Said Barrows Falls Light and Power Company is hereby authorized and empowered to build an additional dam across said Piscataquis river above said Barrows Falls either in Monson or Blanchard, on its own land, to add to and reinforce its power, and shall have all the rights and privileges in connection with said dam enumerated in chapter ninety-four, revised statutes of nineteen hundred and three, and be subject to all the conditions and liabilities specified in said chapter.

Authorized to build additional dam.

Section 17. Said Barrows Falls Light and Power Company is hereby authorized and empowered to cross any railroad with its said wires laid in pipes and conduits, but shall not be allowed to cross any railroad overhead said track, without permission of the board of railroad commissioners of the state of Maine, first obtained upon petition therefor. The expense of said crossing shall be made entirely at the expense of said Barrows Falls Light and Power Company; and if the said railroad company and the said power company do not agree as to the manner and condition of crossing, the same shall be referred on petition to said railroad commissioners, who shall determine the manner and condition of said crossing.

May cross under railroads, but not overhead without consent of railroad commissioners.

—expense of crossing, by whom paid.

Section 18. The first meeting of said corporation for the purpose of organization may be called by written notice thereof, signed by any corporator herein named, and served upon or mailed to his post office address, such notice, so signed, seven days at least before the time of meeting.

First meeting, how called.