

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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

AUGUSTA
KENNEBEC JOURNAL PRINT
1911

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth
Legislature

1911

CHAP. 280

the county of York, and the recorder a salary of three hundred dollars per annum, payable quarterly.

Section 16. Trial justices are hereby restricted from exercising any civil or criminal jurisdiction in the towns of said municipal district, except that they may issue warrants on complaints for criminal offenses committed in said towns to be returned before said municipal court, and excepting also such jurisdiction as is reserved for them in section six of this act. Such restrictions shall be suspended until the judge of said court shall enter on the duties of his office. Nothing in this act shall be construed to interfere with matters in said municipal district which have been brought and are pending, before trial justices, or any other municipal court, at the time when the judge of said court shall enter upon the duties of his office, but all such matters shall be disposed of by such trial justices or municipal courts the same as if this act had not passed.

Restrictions
of trial jus-
tices.

Approved March 30, 1911.

Chapter 280.

An Act to incorporate the Sandy River Power and Development Co.

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

Section 1. Oscar H. Hersey, Daniel F. Field, James W. Brackett, Harry B. Austin, Fred Morton, J. Blaine Morrison, Nathaniel H. Harden and Herbert Goldsmith of Phillips in the county of Franklin, state of Maine, their associates, successors and assigns are hereby incorporated under the name of the Sandy River Power and Development Company.

Corporators.

Section 2. Said corporation is hereby authorized and empowered to generate, buy, sell, distribute and supply electricity for lighting, heating, manufacturing and mechanical purposes in the towns of Phillips, Avon and Madrid with all the rights and powers and subject to all the duties and liabilities of similar corporations organized under the general laws of this state.

—corporate
name.
Purposes.

Section 3. The capital stock shall not exceed fifty thousand dollars, to be fixed by the corporation from time to time.

Capital stock.

Section 4. Said corporation is further authorized to develop such water power as it may own or acquire in said towns of Phillips, Avon and Madrid and in Sandy River plantation, and said corporation is hereby authorized to contract with any firm, individual or corporation for the purpose of buying, leasing or selling power as the needs of its business may require or permit.

May develop
water powers.

CHAP. 280

May maintain dam across Sandy river and tributaries, with right of flowage.

—exception.

May maintain dam at outlet of Sandy river ponds.

—proviso.

—damages for flowage, how determined.

May maintain canals, side dams and penstocks, etc.

—may enter upon lands, etc.

Liable for damage occasioned by the taking of land, etc.

Corporation shall file plans in registry of deeds.

Section 5. Said corporation is authorized to locate, construct and maintain a dam or dams with the right of flowage across Sandy river and its tributaries in the said towns of Phillips, Avon and Madrid and Sandy River plantation and to acquire by purchase or otherwise, and maintain any and all other water powers, privileges and property incident thereto in said towns. But nothing herein shall be construed as granting to said company the right to flow existing privileges not acquire, or to take any water power by eminent domain.

Section 6. Said company is hereby authorized to construct and maintain a dam at the outlet of Sandy river ponds in Sandy River plantation in said county of Franklin for the purpose of storing water therein and to use the same for developing power for the uses of said company for the purposes for which it is hereby created, provided always that the volume of water naturally flowing in said Sandy river shall not be diminished to the detriment of any riparian owners. The damages for flowage under the provision of this section to be ascertained in the manner prescribed in chapter ninety-four of the revised statutes.

Section 7. Said company is also hereby authorized to cut and maintain canals, and to construct and maintain necessary side dams and penstocks and to erect electrical and other plants and buildings and to take and occupy all land and appurtenances thereto belonging, as for public use, as may be necessary for its purposes, or to carry out the provisions of this act. Said company may enter upon any lands necessary for its purposes, and take and hold the same by purchase or otherwise, and may take and occupy all rights of way necessary for access to its various buildings and structures from the nearest highway, and may enter upon such lands for the purpose of making preliminary surveys and setting marks and monuments therefor.

Section 8. Said corporation shall be liable to pay all damages that may be sustained by any person by the taking of land and other property, and if any person as aforesaid cannot agree with said corporation upon the sum to be paid therefor, he may cause his damages to be assessed in the same manner and subject to the same conditions, restrictions and limitations as is provided by law in the case of damages by the laying out of highways.

Section 9. Said corporation shall file in the registry of deeds for the said county of Franklin plans of the location of all lands, rights of way, water rights and other property and rights taken under the provisions of this act, and such lands, rights

of way, water rights and other property rights shall be deemed to have been taken at the date of such filing, but no entry shall be made on any land, except to make surveys as aforesaid until the expiration of ten days from such filing.

Section 10. The state, the towns aforesaid or any municipal corporation therein, is authorized to contract with this corporation for a supply of electricity for municipal purposes for a term of years and to renew the same and to raise money therefor.

May contract for supplying electricity.

Section 11. This corporation for the purposes of this act is authorized to issue bonds from time to time in such amounts and on such rates and time as it may deem expedient, and secure the same by appropriate mortgages upon its property and franchises.

May issue bonds and mortgage property.

Section 12. Said corporation is hereby authorized to acquire by purchase, the plants, property, franchises, rights, privileges and locations of other corporations, firms or individuals engaged in any of the kinds of business hereinbefore named, in said towns, and such corporations, firms or individuals are hereby authorized to convey, transfer and assign such plants, property, franchises, rights, privileges and locations to said Sandy River Power and Development Company which shall have, hold, enjoy and exercise the same for its own uses and purposes as though originally granted to it.

May acquire plants of corporations engaged in similar business.

Section 13. The first meeting of said corporation may be called by any corporator by mailing a written notice naming the time and the place, postage prepaid, to each of the other corporators seven days at least before the day of the meeting. Any member may act at such meeting by written proxy.

First meeting, how called.

Section 14. Said corporation shall acquire by contract or by appraisement and conveyance all the property, rights, privileges and franchises of the Phillips Electric Light and Power Co. used in supplying electricity in said town of Phillips, and on such purchase and conveyance it shall succeed to and enjoy all such property, franchises and rights of said company.

Shall acquire rights of Phillips Electric Light and Power Co.

Section 15. In case said company is unable to agree with said Phillips Electric Light and Power Company upon the purchase price to be paid for all the property, franchises and rights of the said Phillips Electric Light and Power Company, the purchase price therefor shall be ascertained by a commission, one member to be selected by this corporation, one member by said Phillips Electric Light and Power Company, and the third by the two members so selected if they are able to agree. If they are not able to agree, then said third member shall be

Purchase price, how ascertained if parties fail to agree.

CHAP. 281

appointed by any justice of the supreme judicial court upon application therefor. A majority of said commission shall be required to sign any award so made.

Notice of desire to purchase Phillips Electric Light and Power Company.

Section 16. On or before July first nineteen hundred and twelve, said Sandy River Power and Development Company shall notify in writing the Phillips Electric Light and Power Company of its desire to acquire said property of said Phillips Electric Light and Power Company and should said Phillips Electric Light and Power Company fail to select its member of the commission to appraise its plant within thirty days after such notice, then said Sandy River Power and Development Company shall have all the rights, powers and privileges enumerated in this act, except the rights to acquire the property of said Phillips Electric Light and Power Company.

Approved March 30, 1911.

Chapter 281.

An Act to authorize Androscoggin County to issue bonds to enable it to provide for the payment of Temporary Loans and Contingent Expenses.

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

County of Androscoggin authorized to procure a loan.

The county of Androscoggin is hereby authorized to procure by loan on the faith and responsibility of said county a sum not exceeding thirty thousand dollars to be used and expended by and under the direction of the county commissioners of said county for the purpose of paying the temporary loans contracted in altering the county jail and erecting an addition thereto and to provide for the payment of other temporary loans and contingent expenses. And the treasurer of said county is hereby authorized under the direction of said commissioners, to issue bonds therefor with coupons for interest attached. The interest on said bonds shall not exceed four per cent. per annum, and to be payable semi-annually at the office of the county treasurer for said county. The principal of said bonds shall be repaid by said county at such time or times not exceeding twenty years as the said commissioners may decree; and none of the bonds shall be sold or negotiated by said county at a less sum than par. Said bonds shall be signed by the treasurer of the county and countersigned by the county commissioners, and attested under the seal of the county by the clerk of courts for said county.

—may issue bonds.

—rate of interest.

—principal, when to be repaid.

Approved March 30, 1911.