

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Seventh  
Legislature

1915

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--exempt from incorporation tax.

--liable for expenses of the commission.

--payment of costs.

--costs, how disposed of.

Section 22. The Boston and Maine Railroad Company shall not be required to pay any incorporation tax under the provisions of chapter forty-seven, section five of the Revised Statutes and acts additional thereto and amendatory thereof. But whenever application shall be made to the Public Utilities Commission under the provisions of this act for the issuance of any certificate, or for the approval of any act done or proposed to be done, whether by the Boston and Maine Railroad or by the Boston and Maine Railroad Company, the petitioner shall become liable to the State of Maine for all expenses incurred by the Commission in attending or holding hearings and conferences and in making investigations preliminary to passing upon such application and in the discharge of any other duties incident thereto, including reasonable counsel fees, which items shall be taxed by the Commission in its report thereon as costs and certified by the Commission to the petitioner and the treasurer of this State. If such sums so taxed are not paid into the State Treasury within thirty days after such certification, the State Treasurer is hereby given authority, and it shall be his duty, to collect the same for and in the name of the State of Maine, in an action of debt, jurisdiction being hereby conferred upon the Supreme Judicial court for that purpose. Such costs when paid, in whatever manner collected, shall become a part of and be added to the appropriation for the use of the Public Utilities Commission and are hereby appropriated for that purpose.

Approved April 2, 1915.

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**Chapter 187.**

An Act to Incorporate the Oquossoc Light and Power Company.

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

Incorporators.

--corporate name.

--location of corporation.

Section 1. F. B. Colby, H. C. Riddle, W. D. Quimby, F. G. MacKenzie, John A. Russell, R. H. Ellis and W. S. Marble of Rangeley, in the county of Franklin and State of Maine, their associates, successors and assigns, are hereby incorporated under the name of the Oquossoc Light and Power Company, with all the rights and privileges and subject to all the obligations incident to corporations organized under the general law, except as otherwise herein provided.

Section 2. The location and principal office of said corporation shall be in the town of Rangeley in Franklin county.

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Section 3. Said corporation is hereby authorized and empowered to generate, buy, sell, distribute, and supply electricity for lighting, heating, manufacturing, and mechanical purposes, in the town of Rangeley, and Rangeley plantation, Dallas plantation, Sandy River plantation, Township three, Range four, Township three, Range three, in Franklin county, and Township four, Range three, in Oxford county, with all the rights and powers and subject to all the duties, liabilities and obligations of similar corporations organized under the general laws of this State.

Purposes of corporation defined.

Section 4. The capital stock shall not exceed fifty thousand dollars, to be fixed by the corporation from time to time.

Capital stock.

Section 5. Said corporation is hereby authorized to construct dams and develop water power along the outlet to Kennebago lake and especially to construct and maintain a dam at Kennebago falls, so-called, about one mile from the outlet to said lake, in Township three, Range four, in Franklin county, for developing power for the uses of said company, for the purposes for which it was created and may take all lands and other property necessary to carry into effect the purposes for which created; provided, however, that said dam or dams shall be located below the existing dam of the Kennebago Improvement Company, situated about one-half mile from the outlet of Kennebago lake, and be so constructed as not to interfere with the floating and driving of logs through said improvement company's dam, and also be so constructed as not to interfere with or prevent the use of said improvement company's dam, or any other dam that may be constructed in place thereof, for the holding and storage of the surplus waters of said Kennebago lake, by said Kennebago Improvement Company, or by the Union Water Power Company; and provided further, that said Kennebago Improvement Company and said Union Water Power Company shall not, by means of any dam constructed or maintained as herein mentioned, decrease the flow of water in said Kennebago river, below the natural flow of said river. The damages for flowage under the provisions of this section to be ascertained in the manner described in chapter ninety-four of the Revised Statutes.

May construct dams and develop water power as herein provided for.

—damages, how ascertained.

Section 6. Said company is also hereby authorized for the purposes aforesaid, to cut and maintain canals along said Kennebago stream, to any point in the territory in which it has a right to operate, and may construct, erect and maintain all necessary dams and side dams and appurtenances thereto and erect electrical and other plants and buildings and take and

—may cut and maintain canals.

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occupy all lands and appurtenances thereto belonging as for public use, as may be necessary for its purposes or to carry out the provisions of this act, returning the water thus diverted, back into said stream.

—may contract with Union Water Power Company.

Section 7. Said company is also authorized to enter into such contracts as may be mutually agreed upon with the Union Water Power Company, to develop power at the outlet and along the stream flowing from Rangeley lake, by using the existing dam or otherwise. If the consent of the said Union Water Power Company is obtained as aforesaid, then all the rights, powers and privileges of this company, herein granted, applying to the development of Kennebago stream, shall apply to the stream at the outlet of Rangeley lake. Each of said corporations is hereby empowered, for the purposes named in this section, to transfer, sell and assign, any or all of its rights and privileges as herein or before granted.

—may take and hold necessary land.

Section 8. Said company may enter upon any land that is necessary for its purposes and take and hold the same by purchase or otherwise, as for public use, 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 any such land for the purpose of making preliminary surveys and making marks and monuments therefor.

—plans of property shall be filed in registry of deeds.

Section 9. Said company shall file in the registry of deeds, for county in which property lies, plans of all the location of all lands and all rights of way, water rights and other property and rights taken under the provisions of this act and such land, rights of way, water rights and other property rights, shall be deemed to be taken as of 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 the filing.

—may construct and maintain lines, poles, wires, etc.

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

—damages.

Section 11. In any dam or dams erected under the provisions of this act, said Company shall construct and maintain suitable locks or sluices for the passage of logs and lumber through said dams.

—locks or sluices shall be maintained.

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Section 12. Said corporation shall be liable to pay all damages that may be sustained by any person, persons or corporations, by the taking of land and other property and if such owners as aforesaid cannot agree with said corporation upon the sums to be paid therefor, they may cause their damages to be assessed in the manner and subject to the same conditions, restrictions and limitations as provided by law in case of damages by the laying out of highways.

Liabile for payment of damages sustained.

Section 13. The State, the town, and plantations 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 renew the same and to raise money therefor.

Contracts for municipal purposes.

Section 14. 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 terms as it may deem expedient and to secure the same by appropriate mortgages upon its property and franchises, providing the total amount shall at no time be in excess of the amount of capital stock issued and subject to the approval of the Public Utilities Commission of this State.

—may issue bonds.

Section 15. Said corporation is hereby authorized to acquire by purchase, the capital stock, plants, properties, rights, franchises and locations of other corporations, firms or individuals, engaged in any of the kinds of business hereinbefore named in said towns and plantations, and such corporations, firms or individuals are hereby authorized to convey, transfer, and to assign such plants, properties, franchises and privileges and locations to said Oquossoc Light and Power Company, which shall have, hold, enjoy and exercise the same for its own use and purposes as though the same were originally granted to it.

—may acquire property of other corporations, firms or individuals.

Section 16. Said corporation shall acquire by contract, or by appraisalment and conveyance, all the properties, rights, privileges, and franchises of the Rangeley Light and Power Company and its successors, and on such purchase and conveyance it shall succeed to enjoy all such properties, franchises and rights of such company.

—shall acquire property, rights and privileges of the Rangeley Light and Power Company.

Section 17. In case this company is unable to agree with the said Rangeley Light and Power Company upon the purchase price to be paid for the property, franchises and rights of the said Rangeley Light and Power Company, the purchase price therefor shall be ascertained and fixed by a commission, one member to be selected by this corporation, one member by the Rangeley 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 appointed by

Purchase price may be fixed by a commission.

—commission, of whom composed.

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any justice of the Supreme Judicial court, upon application therefor made by either party. The majority of said commission shall be required to sign any award so made. On payment or tender of the amount so determined by this corporation to the Rangeley Light and Power Company, then all of its property rights and franchises shall become the property rights and franchises of this corporation, free from all liabilities and obligations of the said Rangeley Light and Power Company.

—notification of desire to acquire property.

Section 18. On or before July first, nineteen hundred sixteen, this company shall notify in writing the Rangeley Light and Power Company of its desire to acquire said property of said Rangeley Light and Power Company, and if said Rangeley Light and Power Company fails to select its member of said commission to appraise its plant within thirty days thereafter, then this company shall have all the rights, powers and privileges enumerated in this act, except the right to acquire the property of the Rangeley Light and Power Company as provided in this and the two preceding sections.

—first meeting.

Section 19. The first meeting of this corporation may be called by any corporator, by mailing, postage prepaid, a written notice naming the time and place of such meeting, 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.

Approved April 1, 1915.

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### Chapter 188.

AN Act to Confer Additional Rights and Powers upon the East Branch Improvement Company, a Corporation Incorporated by a Special Act of the Legislature, Approved March Eighteenth, Nineteen Hundred Three.

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

Fixed rate for tolls on logs and lumber passing down east branch of Penobscot river.

Section 1. The East Branch Improvement Company, a corporation incorporated by a special act of the Legislature of Maine, entitled, "An Act to Incorporate the East Branch Improvement Company," approved March eighteenth, nineteen hundred three, is hereby authorized and empowered to demand and receive a toll on all logs and lumber driven down the east branch of the Penobscot river coming into said river below Grand lake dam and the destination of which is below the junction of the east and west branches of said Penobscot river, using stored water, as follows: ten cents for each thousand feet, board measure, on all logs and lumber landed in, or driven