

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

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1891.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

to said Reed plantation, is hereby annexed to and made a part of the county of Aroostook.' CHAP. 212

SECT. 2. This act shall take effect when approved.

Approved March 12, 1891.

Chapter 212.

An Act additional to the city charter of the city of Ellsworth.

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

SECT. 1. The mayor and aldermen of the city of Ellsworth may, if they deem it advisable, at any time, enter into a contract, for and in the name of said city, with any person or persons to maintain and keep in sufficient repair, in accordance with law, all of the streets, highways, sidewalks and bridges, or any part thereof, in said city for any period of time, not exceeding five years from the date of such contract.

Mayor and aldermen, authorized to make contract for repair of streets.

SECT. 2. Said mayor and alderman may, if they deem it advisable, require any person with whom such a contract is made, to furnish satisfactory security for the proper performance of such contract, and to indemnify said city for all damages and costs recovered against said city by reason of any negligence upon the part of such person or by reason of any defect or want of repair in any of the streets, highways, sidewalks or bridges which such person has contracted to maintain and keep in repair, occurring during the period for which said contract may be made.

May require contractors to furnish security.

SECT. 3. This act shall take effect when approved.

Approved March 12, 1891.

Chapter 213.

An Act to incorporate the York Light and Heat Company.

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

SECT. 1. J. G. Shaw, Charles H. Andrews, F. H. Littlefield, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of the York

Corporators.

—corporate name.

CHAP. 213 Light and Heat Company, for the purposes of supplying light, heat and power by the manufacture of gas and electricity in the cities of Biddeford and Saco and town of Old Orchard, with all the powers and privileges and subject to all the duties, restrictions and liabilities by law incident to corporations of a similar nature.

Capital stock. SECT. 2. The capital stock of said corporation shall be not less than fifty thousand dollars, divided into shares of one hundred dollars each, which may, by vote of the company, be increased to five hundred thousand dollars. Said company is authorized to hold such real and personal estate that may be necessary and proper for the purposes of its incorporation.

Authorized to lay pipes along highway.

SECT. 3. Said company is hereby authorized to lay down and maintain in, under, through, along and across the highways, ways, streets, railroads and bridges in said cities and town, and to take up, replace and repair all such pipes and fixtures and to erect and maintain such poles, wires and other fixtures as may be necessary for the object of its incorporation, and may enter upon and dig up any road, street or way in said cities and town for the purposes aforesaid, and, in general, may do any other acts and things necessary, convenient or proper to be done for the completing, establishment and maintenance of its works and plant, provided always, that the said company shall at its own expense and to the satisfaction of the municipal officers of said cities or town without unnecessary delay, repair the said highways, streets, and ways in every part where they shall be so entered upon and dug up, and restore the covering, pavement and sidewalks thereof respectively.

Liability, for damages.

SECT. 4. Said corporation shall be liable in all cases to repay to said cities or town, all sums of money that said cities or town may be obliged to pay in any judgment recovered against them for damages occasioned by any obstruction or taking up or displacement of any street by said company, together with fees of counsel and other expenses necessarily incurred in defending the same; provided, however, that said company shall have notice of any suit whenever such damage shall be claimed, and shall be allowed to defend the same at its own expense.

May cross private or public sewer.

SECT. 5. Said company shall have power to cross any water course, private or public sewer, or to change the direction thereof when necessary for the purposes of its incorpo-

ration, but in such manner as not to obstruct or impair the use thereof, and said company shall be liable for any injury caused thereby.

SECT. 6. Said company is hereby authorized to purchase the franchises, property, rights, privileges and immunities of the Saco and Biddeford Gas Light Company and of the Biddeford Saco Light and Power Company, or of either of said companies, upon such terms as may be agreed upon; and said Saco and Biddeford Gas Light Company and Biddeford Saco Light and Power Company are both hereby authorized to sell their franchises, property, rights, privileges and immunities to said York Light and Heat Company, and upon such purchase and transfer the said York Light and Heat Company shall succeed to enjoy all the rights, privileges, and immunities now or hereafter granted to said companies or either of them, in the cities of Biddeford and Saco and town of Old Orchard, and shall thereupon have the right to supply said cities and town with light, heat and power by the manufacture of gas and electricity in the manner provided by sections one, two, three, four and five of this act and by the charters of the said gas light company and all acts amendatory thereof.

Authorized to purchase property of other corporations and supply light, heat and power.

SECT. 7. Said company is hereby authorized to make contracts with the United States, the state and with corporations and inhabitants of said cities and town for the purposes of supplying light, heat and power as contemplated by this act; and said cities of Biddeford and Saco, each through its city council, and said town of Old Orchard, through its selectmen, are authorized to contract with said company from time to time as they may deem expedient.

May make contracts to supply light, etc.

SECT. 8. Said company may issue its bonds for the construction of its works and for the purposes of its incorporation, upon such rate and time as it may deem expedient and in such amount as may be required for the objects of its incorporation and for the purchases authorized by section six of this act, and to secure the same by mortgage upon the franchise and property of said company.

May issue bonds, and mortgage property.

SECT. 9. The first meeting of this company may be called by written notice thereof signed by any two corporators herein named, served upon each corporator by giving him the same in hand or by leaving the same at his last and usual place of abode seven days before the time of meeting.

First meeting, how called.

CHAP. 214

SECT. 10. This act shall take effect when approved.

Approved March 12, 1891.

Chapter 214.

An Act to authorize the County Commissioners of Sagadahoc County to locate and establish a highway across Atkins Bay.

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

County commissioners, authorized to establish a highway across Atkins bay.

SECT. 1. Authority is hereby granted to the county commissioners of Sagadahoc county to locate and establish a highway from some point on the road in the town of Phippsburg leading to Cox's Head thence to the point of Little Cox's Head, thence across and over the tide waters of Atkins bay to the land of one Lyman Oliver, and thence to the southwest corner of the land of N. Perkins, by the same proceedings and in the same manner now provided by law for laying out and establishing highways.

SECT. 2. This act shall take effect when approved.

Approved March 13, 1891.

Chapter 215.

An Act to prohibit the taking of land-locked salmon from Basin pond in the town of Fayette, county of Kennebec.

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

Taking of fish from Basin pond, Fayette, prohibited for five years.

SECT. 1. No person shall take, catch, kill, fish for, or destroy any land-locked salmon in Basin pond in the town of Fayette, for a period of five years from the approval of this act.

Penalty for violation.

SECT. 2. Any person who shall violate the provisions of this act shall pay the sum of five dollars for each fish taken, to be recovered on complaint before any trial justice in said county of Kennebec, one-half to the use of the complainant, and the other half to the use of said county.

Approved March 13, 1891.