

MAINE STATE LEGISLATURE

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Sixty - Third Legislature.

HOUSE.

No. 114.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-SEVEN.

AN ACT to incorporate the Cumberland Illuminating
Company.

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

SECTION 1. Joseph R. Ricker, Nathan Cleaves,
2 Franklin R. Barrett, George E. B. Jackson, their
3 associates and successors, are hereby constituted a
4 body politic and corporate by the name of the
5 Cumberland Illuminating Company, for the pur-
6 pose of supplying light, heat and power, by the

7 manufacture and distribution of gas and electricity
8 in the towns of Westbrook, Deering and Cape
9 Elizabeth, or either of said towns, with all the
10 powers and privileges, and subject to all the duties
11 and liabilities by law incident to incorporations
12 of similar nature.

SECT. 2. The capital stock of said company
2 shall not be less than twenty-five thousand dollars,
3 divided into shares of one hundred dollars each,
4 which may, by vote of the company, be increased
5 to not exceeding five hundred thousand dollars.
6 Said company is authorized to hold such real and
7 personal estate as may be necessary for the pur-
8 poses of its incorporation.

SECT. 3. The said company is hereby authorized
2 to lay down and maintain in, under, through, along
3 and across the highways, ways, streets, railroads and
4 bridges in the said towns, or either of them, and
5 to take up, replace and repair all such pipes and
6 fixtures, and to erect and maintain such posts,
7 wires and other fixtures as may be necessary for
8 the objects of its incorporation, and may enter upon
9 and dig up any road, street or way in said towns
10 or either of them, for the purpose aforesaid, with
11 as little obstruction to public travel as may be
12 practicable, and may do such other necessary and

13 proper acts as may be required for the completion
14 and maintenance of its works; *provided* that said
15 company shall without unnecessary delay, from
16 time to time, as may be required, repair all high-
17 ways, streets and ways in every part where they
18 shall have been entered upon and dug up, and re-
19 store the same to a proper condition at its own ex-
20 pense, and to the satisfaction of the selectmen of
21 said towns, or either of them, in the said county
22 where said highways, streets and ways are
23 located.

SECT. 4. The said company is hereby authorized
2 to purchase the property, rights, franchise, privi-
3 leges and immunities of any gas or electric light
4 company, now or hereafter existing in any town or
5 city in said Cumberland County, upon such terms
6 and conditions as may be mutually agreed upon;
7 and upon such purchase and a transfer and con-
8 veyance of the same to said Cumberland Illumi-
9 nating Company, it shall succeed to and enjoy all
10 the rights, privileges and immunities now enjoyed
11 by, belonging to, or hereafter granted to any such
12 gas or electric light company.

SECT. 5. The said company is hereby authorized
2 to make contracts with the United States, the

3 State and with corporations and inhabitants of any
4 such city or town or either of them in said county,
5 for the purpose of supplying light, heat and power
6 as contemplated by this act, and the said towns in
7 said county or either of them through their select-
8 men, or any city in said county through its city
9 council, are authorized to enter into contracts with
10 said company for such purposes, from time to time,
11 as they may deem expedient.

SECT. 6. The said company shall be liable in all
2 cases to repay said towns all sums of money that
3 they or either of them may be obliged to pay on
4 any judgment recovered against them or either of
5 them for damages occasioned by any obstruction
6 or taking up or displacement of any street or way
7 by said company, together with fees of council and
8 other expenses necessarily incurred by them or
9 either of them in defending any suit to recover the
10 same; *provided, however,* that said company shall
11 have notice of any suit wherein such damages are
12 claimed, and shall be allowed to defend the same
13 at its own expense.

SECT. 7. And said company may issue its bonds
2 for the construction of its works upon such reason-
3 able rates and time as it may deem expedient, and

4 in such amount as may be required for the objects
5 of its incorporation and for the purchases author-
6 ized by section four of this act, and secure the same
7 by mortgage upon the franchise and property of
8 said company.

SECT. 8. The first meeting of said company may
2 be called by a written notice thereof, signed by
3 any two corporators herein named, and served
4 upon each corporator by giving him the same in
5 hand, or by leaving the same at his last and usual
6 place of abode, at least seven days before the meet-
7 ing.

SECT. 9. This act shall take effect when ap-
2 proved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 12, 1887. }

Tabled and ordered printed, pending third reading, on motion of Mr.
SHAW of Portland.

NICHOLAS FESSENDEN, Clerk.