

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Ninth Legislature.

HOUSE.

No. 250

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT
HUNDRED AND NINETY-NINE.

AN ACT to incorporate the Lubec Water and Electric Light
Company.

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

Section 1. James H. Gray, Clarence H. Clark, Walter B.
2 Mowry, Alden W. Kelley, Herbert L. Shepperd, Bion M.
3 Pike, George S. Thayer and Samuel D. Leavitt with their
4 associates and successors are hereby made a corporation by
5 the name of The Lubec Water and Electric Light Company,
6 for the purpose of conveying to and supplying the town of
7 Lubec with pure water and electric lights.

Sect. 2. Said corporation, for said purpose, may hold real
2 and personal estate necessary and convenient therefor, not
3 exceeding one hundred thousand dollars.

Sect. 3. Said corporation is hereby authorized for the purposes aforesaid, to erect and maintain reservoirs and stand pipes, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disbursing water, and forming proper reservoirs therefor, and said corporation may take and hold by purchase or otherwise any lands or real estate necessary therefor, and may excavate through any lands when necessary for the purposes of this corporation.

Sect. 4. Said corporation is hereby authorized for the purposes aforesaid to carry on the business of lighting by electricity or otherwise, such public streets in the town of Lubec, and such buildings and places therein, public and private, as may be agreed upon by said corporation and the owners or those having control of such places to be lighted, and may furnish motive power by electricity or otherwise, within said town and may build and operate manufactories and works for providing and supplying electricity, light and power, and may take, lease, purchase and hold real estate, and personal estate therefor, and to construct, lay, maintain and operate lines of wire or other material for the transmission of electricity or power, upon, under, along and over any and all streets and ways under the direction of the municipal officers of said town.

Sect. 5. Said corporation shall be held liable to pay all damages that shall be sustained by any person by the taking of any land or other property, or by flowage, or by excavating through any land for the purposes of laying down pipes and aqueducts, building dams, reservoirs, and also damages for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid, and said corporation cannot mutually agree upon the sum to be paid therefor, either party on petition to the county commissioners of

10 Washington county may have the damages assessed by them;
11 and subsequent proceedings and rights of appeal thereon shall
12 be had in the same manner and under the same conditions
13 and restrictions and limitations as are by law provided in
14 case of damages by laying out highways.

Sect. 6. The capital stock of said corporation shall be
2 one hundred thousand dollars, said stock to be divided into
3 shares of fifty dollars each.

Sect. 7. Said corporation is hereby authorized to lay down,
2 in and through the streets and ways of said town of Lubec,
3 and to take up, repair and replace all such pipes, aqueducts
4 and fixtures as may be necessary for the purposes of their
5 incorporation, under such reasonable restrictions as may be
6 imposed by the selectmen of said town, and said corporation
7 shall be responsible for all damage to persons and property
8 occasioned by the use of such streets and ways, and shall fur-
9 ther be liable to pay to said town all sums recovered against
10 said town for damages from obstructions caused by said
11 corporation, and for all expenses, including reasonable coun-
12 sel fees incurred in defending such suits, with interest on
13 same.

Sect. 8. Said corporation is hereby authorized to make
2 contract with said town of Lubec, and with other corpora-
3 tions and individuals, for the purpose of supplying water,
4 electric lights and power as contemplated by said act; and
5 said town of Lubec by its selectmen, is hereby authorized to
6 enter into contracts with said company for the supply of
7 water, electric lights and power and such exemption from
8 public burden as said town and said company may agree
9 upon, which, when made, shall be legal and binding upon
10 all parties thereto.

Sect. 9. Said corporation shall have power to cross any
2 private or public sewer, or to change the direction thereof,

3 when necessary for the purposes of this incorporation, but
4 in such a manner as not to obstruct or impair the use thereof ;
5 and said corporation shall be liable for any injury caused
6 thereby. Whenever the company shall lay down any pipes
7 in any street, or make any alterations or repairs upon its
8 works in any street, it shall cause the same to be done with as
9 little obstruction to public travel as may be practicable, and
10 shall at its own expense, without unnecessary delay, cause the
11 earth and pavements removed to be replaced in proper con-
12 dition.

Sect. 10. Said corporation may issue its bonds for the con-
2 struction of its works, upon such rates and terms as it may
3 deem expedient, not exceeding one hundred thousand dol-
4 lars, and secure the same by mortgage of the franchise and
5 property of said company.

Sect. 11. The first meeting of the corporation may be
2 called by public notice, published in the Lubec Herald, three
3 weeks, said call to be signed by at least three of the corpora-
4 tors.

Sect. 12. This act shall become null and void in four years
2 from the time when the same takes effect, unless the corpora-
3 tion shall have organized and commenced the construction of
4 its works under this charter.

Sect. 13. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, March 3, 1899.

Reported by Mr. CHASE of Portland, from Committee on Legal Affairs,
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*