

MAINE STATE LEGISLATURE

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SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 80

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIVE.

AN ACT to authorize the Maine and New Brunswick Electrical Power Company, limited, of New Brunswick, to exercise certain franchises in this State.

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

Section 1. The Maine and New Brunswick Electrical
2 Power Company, limited, a corporation created by and exist-
3 ing under the laws of the Province of New Brunswick, is
4 hereby authorized to exercise within this State the powers,
5 privileges, rights and franchises conferred by this act, sub-
6 ject to the conditions herein contained.

Sect. 2. The said corporation is hereby authorized to pur-
2 chase or lease the property capital stock, rights, privileges,
3 immunities and franchises of the Presque Isle Electric Light
4 Company upon such terms as may be agreed upon, and upon
5 such purchase or lease the said Maine and New Brunswick

6 Electrical Power Company, limited, shall have, hold, possess,
7 exercise and enjoy all the locations, powers, privileges,
8 rights, immunities, franchises, property and assets which at
9 the time of said transfer shall then be had, held, possessed or
10 enjoyed by the said Presque Isle Electric Light Company, and
11 shall then be subject to all the duties, restrictions and liabili-
12 ties to which the said Presque Isle Electric Light Company
13 shall then be subject by reason of any charter, contract or
14 general or special law, or otherwise, and shall thereupon be
15 entitled to manufacture, generate, sell, distribute and supply
16 electricity for light, heat and power in said town of Presque
17 Isle.

Sect. 3. All proceedings, suits at law or in equity, which
2 may be pending at the time of such transfer to which the said
3 Presque Isle Electric Light Company may be a party, may be
4 prosecuted or defended by the said Maine and New Brunsw-
5 wick Electrical Power Company, Limited, in like manner and
6 with like effect as if such transfer had not been made. All
7 claims, contracts, rights and causes of action of or against the
8 said Presque Isle Electric Light Company, at law or in
9 equity, may be enforced by suit or action to be begun or pros-
10 ecuted by or against the said Maine and New Brunswick
11 Electrical Power Company, Limited.

Sect. 4. The Presque Isle Electric Light Company is here-
2 by authorized to make the sale or lease authorized by section
3 two of this act.

Sect. 5. When the transfer authorized in this act is carried
2 out and fully completed the Maine and New Brunswick Elec-
3 trical Power Company, Limited, shall be liable for the then
4 lawfully existing debts, obligations and contracts of the said
5 Presque Isle Electric Light Company.

Sect. 6. The said Maine and New Brunswick Electrical
2 Power Company, Limited, is authorized, upon such terms as

3 may be mutually agreed upon, to purchase or lease the prop-
4 erty, capital stock, rights, privileges, immunities and fran-
5 chises of any corporation, or corporations, authorized by gen-
6 eral or special law to make, generate, sell, distribute or sup-
7 ply electricity in the town of Fort Fairfield, and upon any
8 such purchase or lease the said Maine and New Brunswick
9 Electrical Power Company, Limited, shall have, hold, possess,
10 exercise and enjoy all the locations, powers, privileges, rights,
11 immunities, franchises, property and assets, which at the time
12 of said transfer shall then be had, held, possessed or enjoyed
13 by the corporation so selling or leasing and shall be subject to
14 all the duties, restrictions and liabilities to which the corpora-
15 tion, so selling or leasing, shall then be subject by reason of
16 any charter, contract, or general or special law or otherwise.
17 All proceedings, suits at law or in equity, which may be pend-
18 ing at the time of any such transfer, to which any such cor-
19 poration so selling or leasing may be a party, may be prose-
20 cuted or defended by the said Maine and New Brunswick
21 Electrical Power Company, Limited, in like manner and with
22 like effect as if such transfer had not been made. All claims,
23 contracts, rights and causes of action of or against any such
24 corporation, so selling or leasing, at law or in equity, may be
25 enforced by suit or action to be begun or prosecuted by or
26 against the said Maine and New Brunswick Electrical Power
27 Company, Limited. When any transfer authorized by this
28 section is carried out and fully completed the said Maine and
29 New Brunswick Electrical Power Company, Limited, shall be
30 liable for the then lawfully existing debts, obligations and
31 contracts of the corporation so selling or leasing.

Sect. 7. The said Maine and New Brunswick Electrical
2 Power Company, Limited, is authorized to make, generate,
3 sell, distribute or supply electricity for light, heat or power,
4 or for any of said purposes, in the town of Fort Fairfield

5 upon first obtaining the written consent therefor of all cor-
6 porations, persons and firms authorized to make, generate,
7 sell, distribute or supply electricity in said town and not
8 otherwise; but nothing in this section shall prohibit the
9 transmission through said town of electric currents to be else-
10 where used under the provisions of this act. The said Maine
11 and New Brunswick Electrical Power Company, Limited, is
12 authorized to sell electricity to any corporation in said town
13 of Fort Fairfield authorized to distribute electricity therein,
14 and for that purpose it may maintain therein all necessary
15 stations, fixtures and lines of posts and wires.

Sect. 8. The said Maine and New Brunswick Electrical
2 Power Company, Limited, is authorized to transmit and sell
3 electricity to any railroad company or street railroad com-
4 pany, in the county of Aroostook, for use in the operation of
5 the railroad of any such company and to make such contracts
6 therefor as may be mutually agreed upon.

Sect. 9. The said Maine and New Brunswick Electrical
2 Power Company, Limited, is authorized to make, generate,
3 sell, distribute and supply electricity for light, heat and power
4 in the town of Limestone and for that purpose it may erect
5 and maintain all necessary stations, fixtures and lines of
6 posts and wires.

Sect. 10. The said Maine and New Brunswick Electrical
2 Power Company, Limited, is authorized to sell electricity to
3 any corporation in the town of Houlton authorized to dis-
4 tribute electricity in said town. Nothing in this act shall
5 authorize said Maine and New Brunswick Electrical Power
6 Company, Limited, to otherwise engage in the business of
7 selling or distributing electricity in said Houlton. For the
8 purposes of this section, said corporation is authorized to
9 erect and maintain a line, or lines, of posts and wires, with all
10 necessary stations and fixtures, from its main line in Fort

11 Fairfield, through Easton, Mars Hill, Blaine, Bridgewater
12 and Littleton to and into the town of Houlton, and to sell and
13 distribute electricity from said lines for light, heat and power
14 in said Easton, Mars Hill, Blaine, Bridgewater and Littleton.
15 Nothing in this section shall require any corporation organ-
16 ized under the general laws of the State for the sale and dis-
17 tribution of electricity in said Easton, Mars Hill, Blaine,
18 Bridgewater or Littleton to obtain any special act of the
19 legislature therefor. The franchises granted by this section
20 may be assigned to any corporation organized under said
21 general laws and in that event the electricity generated by
22 said Maine and New Brunswick Electrical Power Company,
23 Limited, may by mutual contract therefor be transmitted over
24 the lines of the corporation so organized for use in said towns
25 and for sale as aforesaid to electrical corporations in said
26 Houlton.

Sect. 11. The said corporation is authorized to erect and
2 maintain, for the purposes of this act and under its limita-
3 tions, all necessary lines of posts and wires, and may pur-
4 chase, or take and hold as for public uses, land necessary for
5 the construction and operation of such lines. Land may be
6 so taken and damages therefor may be estimated, secured,
7 determined and paid as in case of railroads.

Sect. 12. The said corporation may mortgage or pledge a
2 part or all of its property and franchises, in this State, as
3 security for bonds issued under its charter.

Sect. 13. The said corporation shall have all the rights and
2 be subject to the duties and liabilities of sections three, four,
3 five, six, seven, eight, ten, sixteen, seventeen, eighteen, nine-
4 teen, twenty, twenty-one, twenty-two and twenty-three of
5 chapter fifty-five of the Revised Statutes. It shall further be
6 subject to all the duties incident to public service corporations
7 at common law and to all provisions of the general laws of

8 this State hereafter passed applicable to corporations engaged
9 in a similar business.

Sect. 14. Before it shall be entitled to any of the provisions
2 of this act, said corporation shall, under its corporate seal,
3 file in the office of the secretary of State a certificate desig-
4 nating some place in the town of Presque Isle as its principal
5 office, and a citizen of this State as an agent upon whom pro-
6 cess from the courts of this State may be served with like
7 effect as if upon an officer thereof. Whenever a vacancy
8 occurs in said designation, a new agent shall be designated in
9 the same manner, and if there be at any time no such agent
10 then service of any process may be made on the secretary
11 of State with like effect as if on said corporation.

Sect. 15. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, February 8, 1905.

Tabled pending reference to a committee by Mr. POWERS of Houlton
and ordered printed.

E. M. THOMPSON, *Clerk*