

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 553

STATE OF MAINE.

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

AN ACT to incorporate the Waterville Gas and Electric
Company.

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

Section 1. William T. Haines, Luther H. Soper, and John
2 E. Nelson, their associates, successors, and assigns, are
3 hereby incorporated under the name of the Waterville Gas
4 and Electric Company, for the purpose of manufacturing,
5 generating, selling, distributing, and supplying gas and elec-
6 tricity for lighting, heating, traction, transportation, manu-
7 facturing, or mechanical purposes, in the city of Waterville
8 and the towns of Fairfield and Winslow, or for any or either
9 of such purposes, with all the rights, powers and privileges,
10 and subject to all the restrictions and liabilities by law inci-
11 dent to similar corporations; also for the purpose of buying,
12 leasing, and operating, the property, capital stock, bonds,
13 rights, privileges, immunities, and franchises of any indi-
14 viduals, firms, or corporations doing a similar business in
15 the city of Waterville and the towns of Oakland, Fairfield,
16 Benton, and Winslow.

Sect. 2. The capital stock of said company shall not
2 exceed one million dollars, divided into shares of one hun-
3 dred dollars each. Said company may hold all real and per-
4 sonal estate necessary and convenient for the purposes afore-
5 said.

Sect. 3. Said company is hereby authorized to make, man-
2 ufacture, distribute, sell, and dispose of, gas in the city of
3 Waterville and the towns of Fairfield, Benton, Oakland, and
4 Winslow, and to lay down gas pipe in and through the
5 streets and ways of said municipalities, and to take up,
6 replace, and repair the same, and to build, construct, and
7 maintain all fixtures, reservoirs, gas holders, and other
8 things requisite, proper, and convenient for the manufacture,
9 distribution, and sale of gas in said municipalities. And
10 said company is further authorized to set poles and extend
11 wires, both above and under ground, in and through said
12 streets and ways, and to erect, repair, and maintain, all poles,
13 posts, wires, and fixtures, necessary for the purposes of its
14 incorporation, all subject to the permission of the municipal
15 officers of said municipalities, under such reasonable restric-
16 tions as they may lawfully impose, and subject to the general
17 laws of the State relative thereto. Provided, however, that
18 said company shall not engage in the manufacturing, gen-
19 erating, selling, distributing, or supplying of electricity for
20 any of the said purposes until said company, hereby created,
21 shall have acquired control, by lease, purchase, or otherwise,
22 of all of the electric companies hereinafter named now doing
23 the same business in said Waterville.

Sect. 4. Said company shall repay to any city or town any
2 sum of money which said city or town may have been com-
3 pelled to pay on any judgment for any damages caused by
4 a defect or want of repair in the streets thereof due to the
5 neglect of said company, or on any judgment for damages
6 caused by the negligence of said company in the erecting and

7 maintaining, or in the taking up or repairing, of any posts,
8 wires, pipes, or appurtenances connected with its said busi-
9 ness. Said company, at its own expense, without unneces-
10 sary delay, shall remove any obstruction in any street, made
11 in erecting or laying the lines or pipes for such purposes,
12 and cause earth or pavements disturbed to be properly
13 replaced. It shall not be allowed to obstruct or impair the
14 use of any public or private drain or gas pipe or sewer, tele-
15 graph or telephone wire, but may cross, or, when necessary,
16 change the direction of any private wire or pipe, drain or
17 sewer, in such manner as not to obstruct or impair the use
18 thereof, being responsible to the owner or other person for
19 any injury occasioned thereby in an action on the case.

Sect. 5. The said company is further authorized to pur-
2 chase, or lease, and hold, the property, capital stock, and
3 bonds, rights, privileges, immunities, and franchises of the
4 Waterville & Fairfield Railway and Light Company, the
5 Union Gas and Electric Company, the Messalonskee Electric
6 Company, the Oakland Electric Company, the Waterville
7 and Oakland Railway Company, or any or either of them,
8 and the property, rights, immunities, and privileges of any
9 other persons, firms, or corporations doing an electric or
10 gas business in any of said municipalities, upon such terms
11 as may be agreed upon, and upon such purchase and transfer
12 or lease, this company shall have, exercise, and enjoy all the
13 locations, powers, immunities, franchises, rights, and estates
14 then held and enjoyed by the corporations, firms, or indi-
15 viduals so selling or leasing, and shall be subject to all the
16 duties, restrictions, and liabilities to which they or any of
17 them shall be subject by reason of any charter, contract, or
18 general or special law. The said company is also author-
19 ized to purchase, sell, and deal in the stocks and bonds of
20 the above named companies.

Sect. 6. All proceedings, suits at law or in equity, which
2 may be pending at the time of any such transfer, to which

3 any of the corporations so selling or leasing may be a party,
4 may be prosecuted or defended by the said company hereby
5 created, in like manner and with like effect as if such trans-
6 fer had not been made. All causes of action, at law or in
7 equity, of or against either of said corporations, may be
8 prosecuted by or brought against the said company hereby
9 created.

Sect. 7. The Waterville and Fairfield Railway and Light
2 Company, the Union Gas and Electric Company, the Messa-
3 lonskee Electric Company, the Oakland Electric Company,
4 the Waterville and Oakland Railway Company, or any other
5 person, firm, or corporation doing a gas or electric business
6 in any of said municipalities, are authorized to make a sale
7 or lease as aforesaid.

Sect. 8. The said Waterville Gas and Electric Company
2 may issue its stock and bonds in payment and exchange for
3 properties and estates aforesaid so bought or leased, and for
4 the stock or bonds of said individuals, firms, or corporations,
5 but the amount of stock so issued shall not exceed the author-
6 ized capital stock of the company so selling or leasing.

Sect. 10. The said company may issue its bonds to the
2 amount of its capital stock, from time to time, upon such
3 rates and time as it may deem expedient and in such amounts
4 as may be required, and secure the same by mortgages upon
5 its property and franchises.

Sect. 11. This act shall take effect in one month from the
2 date of its approval.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 16, 1905.

Reported by Mr. MERRILL from Committee on Judiciary and ordered
printed under joint rules.

E. M. THOMPSON, *Clerk.*