

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

HOUSE.

No. 486

STATE OF MAINE.

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

AN ACT to ratify and confirm the organization of the West-
brook Gas Company and to give said company additional
power.

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

Section 1. The organization of the Westbrook Gas Com-
2 pany, a corporation organized under the general laws of the
3 state of Maine, the certificate of organization of which com-
4 pany was filed in the office of the secretary of state on the
5 sixteenth day of January, 1907, is hereby ratified and con-
6 firmed.

Sect. 2. The Westbrook Gas Company shall have all the
2 powers specified in its certificate of organization, and said

3 company is hereby authorized to manufacture, generate, sell,
4 distribute and supply gas of all kinds for lighting, heating,
5 power, manufacturing and mechanical purposes in the city
6 of Westbrook.

Sect. 3. The said company is hereby authorized to lay
2 down and maintain in, under, through, along and across the
3 highways, ways, streets, railroads and bridges in said city
4 any and all necessary pipes and fixtures, and to take up,
5 replace and repair all such pipes and fixtures as may be
6 necessary for the objects of its incorporation; and to enter
7 upon and dig up any road, street or way in said city, for the
8 purposes aforesaid; and in a general way to do any other
9 acts or things necessary, convenient or proper to be done
10 for the complete establishment and maintenance of its works
11 and plant; provided, always, that the said company shall, at
12 its own expense and to the satisfaction of the city council of
13 said city, without unnecessary delay, repair the said high-
14 ways, streets and ways in every part where they shall be so
15 entered upon and dug up, and restore the covering, pavement
16 and sidewalks thereof respectively.

Sect. 4. Said company shall be liable in all cases to repay
2 to said city all sums of money that said city may be obliged
3 to pay on any judgment recovered against said city for
4 damages occasioned by any obstruction, or digging up, or
5 displacement of any street by said company, together with
6 counsel fees and other expenses necessarily incurred in
7 defending said city in actions therefor; provided, however,

8 that said company shall have notice of the commencement of
9 any and all suits for such damage, and said company shall
10 have the right to defend any such action at its own expense.

Sect. 5. Said company shall have power to cross any water
2 course, private or public sewer, or to change the direction
3 thereof where necessary for the purposes of its incorporation,
4 but in such manner as not to obstruct or impair the use
5 thereof; and said company shall be liable for any injury
6 caused thereby.

Sect. 6. Said company is hereby authorized to build, con-
2 struct and maintain all fixtures, reservoirs, gas holders and
3 all other things requisite, proper and convenient for the
4 manufacture, distribution and sale of gas in said munici-
5 pality.

Sect. 7. Said company is hereby authorized to acquire by
2 purchase, lease or otherwise, the property, capital stock,
3 bonds, rights, privileges, immunities and franchises of any
4 corporation, partnership or individuals engaged in the busi-
5 ness of manufacturing, generating, selling, distributing and
6 supplying gas or electricity, either or both, for lighting, heat-
7 ing, traction, transportation, manufacturing or mechanical
8 purposes in the city of Westbrook, and upon such purchase,
9 and transfer or lease, said company shall have, exercise and
10 enjoy all the locations, powers, immunities, franchises, rights
11 and estates then held and enjoyed by the corporations, firms,
12 or individuals so selling or leasing, and shall be subject to all
13 the duties, restrictions and liabilities to which they, or any

14 of them shall be subject by reason of any charter, contract
15 or general or special law.

Sect. 8. Said company is hereby authorized to issue its
2 bonds for the construction and operation of its works, fund-
3 ing its floating debt, or for the payment of money borrowed
4 for any lawful purpose, and to mortgage and pledge, as
5 security for the payment of the principal and interest of such
6 bonds, debts and loans, part or all of its property and fran-
7 chise.

Sect. 9. Whenever said company shall, at a meeting of its
2 stockholders called for the purpose, vote to increase its cap-
3 ital stock to any sum not exceeding fifty thousand (\$50,000)
4 dollars, said company may issue its bonds for a like amount,
5 and may mortgage or pledge all or any part of its property
6 and franchise according to the provisions of section nine of
7 chapter fifty-five of the Revised Statutes.

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

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, March 9, 1907.

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

E. M. THOMPSON, *Clerk.*