

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 584

House of Representatives, March 20, 1913.

*Reported by Mr. Conners from Committee on Legal Affairs,
and ordered printed under joint rules.*

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to grant additional powers to the Rockland, South
Thomaston and St. George Railway.

Be it enacted by the People of the State of Maine, as follows:

Section 1. The Rockland, South Thomaston and St.
2 George Railway, a corporation organized under the general
3 laws of Maine with extended authority by special act of
4 the legislature, is hereby authorized to generate, supply and
5 sell light, heat and power by the manufacture and distribu-
6 tion and sale of gas and electricity in the towns of South
7 Thomaston and St. George, in the county of Knox, with all
8 the powers and privileges and subject to all the duties, re-
9 strictions and liabilities by law incident to corporations of
10 a similar character.

Sect. 2. The said company is authorized to purchase and
2 hold the capital stock, franchises, property, rights, privi-
3 leges and immunities of any other company in the same
4 territory, upon such terms as may be agreed upon and upon
5 such purchase and transfer said company shall succeed to
6 and enjoy all the locations, rights, privileges, property, fran-
7 chises and immunities now or hereafter granted to or held
8 by any of them.

Sect. 3. All proceedings, suits at law or in equity, which
2 may be pending at the time of any such transfer to which
3 either or any of said corporations so selling shall be a party,
4 may be prosecuted or defended by the Rockland, South
5 Thomaston and St. George Railway in like manner and
6 with the same effect as if such transfer had not been made.
7 All claims, contracts, rights, and causes of action, of or
8 against either or any of said corporations so selling, at law
9 or in equity, may be enforced by suit or action to be begun
10 or prosecuted by or against the said Rockland, South Thom-
11 aston and St. George Railway.

Sect. 4. Upon either or any of the purchases authorized
2 by this act, the said Rockland, South Thomaston and St.
3 George Railway shall thereafter faithfully perform all the
4 obligations of any and all contracts then existing between
5 any such corporation so selling and either town, municipal
6 corporation or person in each and every particular, and
7 shall be subject to all the liabilities thereof; and shall there-
8 upon succeed to and enjoy all the rights thereunder as fully
9 as if it had been originally a party thereto.

Sect. 5. The said Rockland, South Thomaston and St. George Railway may issue its stock in payment and exchange for the stock, franchises and property of any corporation making the transfer aforesaid, but in no event shall the amount of stock so issued exceed the authorized capital stock of the corporation so selling. Said Rockland, South Thomaston and St. George Railway is authorized to purchase and hold stock in any other company and may pay for such stock as authorized above; and in such case any stockholder of the Rockland, South Thomaston and St. George Railway shall be eligible to any office in any of the companies in which stock is so held. Such stock so held may be pledged or mortgaged as provided by this act. All the powers granted in this section shall be subject to the approval of the railroad commissioners or their successors in office.

Sect. 6. The said company is authorized to lay down and maintain in, under, through, along and across the highways, ways, streets, railroads and bridges in said towns, and to take up, replace and repair therein, all such pipes and fixtures, and to erect and maintain such posts, wires, and other fixtures, as may be necessary for the objects of its incorporation; and it may enter upon and dig up any road, street or way therein, for the purposes aforesaid, and in general may do any other acts and things necessary, convenient or proper to be done for the complete establishing, maintenance and operation of its works and plant; provided, al-

12 ways, that the said company shall, at its own expense, and
13 to the satisfaction of the municipal officers, without unnec-
14 essary delay, repair all highways, streets and ways by it so
15 entered upon and dug up and restore the covering, pavement
16 and sidewalks thereof respectively. The municipal officers
17 of said towns shall, on petition therefor, first giving the
18 notice required by the general laws of the state, designate
19 the location of all posts, wires and fixtures in any street or
20 way within their respective municipalities. The said com-
21 pany may take and hold, as for public purposes, any lands
22 or interest therein, necessary for the purposes of its incor-
23 poration; and in case the parties cannot agree upon the
24 damages, the said land shall be taken and the damages there-
25 for estimated, secured and paid as in case of lands taken
26 for railroads.

Sect. 7. The said company shall have power to cross any
2 water-course, private or public sewer, or to change the di-
3 rection thereof, where necessary for the purposes of its in-
4 corporation, but in such manner as not to obstruct or im-
5 pair the use thereof; and said company shall be liable for
6 any injury caused thereby.

Sect. 8. The said company is authorized to make con-
2 tracts with the United States, the state, and with corpora-
3 tions and inhabitants of said towns for the purpose of sup-
4 plying light, heat and power as contemplated by this act.
5 The said towns of South Thomaston and St. George and
6 any municipal corporation within said towns, are severally

7 authorized to contract with said company from time to time
8 for supply of gas and electricity for public purposes, as
9 they may deem expedient.

Sect. 9. The said company shall be liable in all cases to
2 repay to said towns all sums of money by either or any of
3 them paid on any judgment recovered for damages occa-
4 sioned by any obstruction, or taking up, or displacement of
5 any street by said company necessarily incurred in defend-
6 ing the same; provided, however, that said company shall
7 have notice of any suit wherein such damages shall be
8 claimed and shall be allowed to defend the same at its own
9 expense.

Sect. 10. The said company may issue its bonds for the
2 construction of its works and for the purposes of its incor-
3 poration, from time to time, in such amounts, and on such
4 rates and time, as it may deem expedient, subject to the
5 approval of the railroad commissioners or their successors
6 in office, and secure the same by appropriate mortgages upon
7 its property and franchises.

Sect. 11. The Rockland, South Thomaston and St. George
2 Railway is authorized to purchase or hire electric power
3 from any other company, person or firm that is authorized
4 to so furnish such power and to make all necessary con-
5 tracts therefor.

Sect. 12. The authority granted this company by the
2 municipal officers of the city of Rockalnd on the twenty-

3 sixth day of December, A. D. 1911, and all proceedings con-
4 nected therewith and had thereon, are hereby ratified, con-
5 firmed, made legal and valid, provided said company exer-
6 cises the rights so granted within two years from the date
7 this act takes effect.