

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTIETH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1850.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,  
and March 16, 1842.  
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1850.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1850.

Chapter 387.

CHAP. 387.

An act to incorporate the Saco and Biddeford Gas Light Company.

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

SECT. 1. Jarvis Williams, Thomas Quimby, Louis O. Cowan, Amos Chase, James M. Deering, J. L. Lawrence, Gardiner Warren, and L. Benedict, their associates and successors, are hereby constituted a body politic and corporate by the name of the Saco and Biddeford Gas Light Company, and by that name, shall have and enjoy all the necessary powers and privileges to effect the objects of their association, and shall be subject to such duties, liabilities and exemptions as are or may be provided by the general laws of this state in the case of manufacturing corporations.

Corporators.

Corporate name.

Powers, privileges, &c.

SECT. 2. The capital stock of said company shall not be less than forty thousand dollars nor more than one hundred thousand, and shall be divided into shares of one hundred dollars each. The said capital stock shall be applied exclusively to the manufacture and distribution of gas for the purpose of lighting the towns of Saco and Biddeford ; *provided*, that said company shall not have power to erect, establish or continue any works for the manufacture of gas at any place within the limits of either of said towns of Saco and Biddeford, without the previous assent of the selectmen of said town, and a special assignment of the boundaries of such establishment, and the erection, establishment or continuance without such previous consent, shall be considered a nuisance, and said company shall be liable to indictment therefor and to all the provisions of law applicable thereto. And nothing contained in this act shall be construed to effect or diminish the liabilities of said company for any injury to private property by depreciating the value thereof or otherwise, but said company shall be liable therefor in an action on the case.

Capital stock.

Capital stock, how applied.

Proviso.

Assent of selectmen, assignment of boundaries, &c.

Company liable for damages.

SECT. 3. The said company are hereby authorized to lay down in and through the streets of said towns, and to take up, replace and repair all such pipes and fixtures as may be necessary for the objects of their incorporation, first having obtained the consent of the selectmen of said towns respectively and under such restrictions and regulations as said selectmen may see fit to prescribe. And any obstruction in any of the streets of said towns or taking up or displacement of any portion of any street or streets, without such consent of said selectmen, or contrary to the restrictions or regulations that may be prescribed as aforesaid, shall be considered a nuisance, and said

Power to lay down, take up and repair pipes.

Obstructions in streets considered a nuisance, &c.

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Liab. to indictment, &c.

Company liable to pay all damages occasioned by said works.

company shall be liable to indictment therefor, and to all the provisions of law applicable thereto. And said company shall in all cases be liable to repay to said towns all sums of money that said towns or either of them may be obliged to pay on any judgment recovered against them or either of them for damages occasioned by any obstructions, or taking up or displacement of any street by said company, whatever, with or without the consent of the selectmen of said towns or either of them, together with counsel fees and other expenses incurred by said towns or either of them in defending any suit to recover damages as aforesaid, with interest on the same, to be recovered in an action for money paid to the use of said company.

Repairs, &c., to be done with as little obstruction as possible.

SECT. 4. Whenever the company shall lay down any pipes or erect any fixtures in any street or make any alteration or repairs upon their works in any street, they shall cause the same to be done with as little obstruction to the public travel as may be practicable, and shall, at their own expense, without unnecessary delay cause the earth and pavements removed by them, to be replaced in proper condition. They shall not be allowed in any case to obstruct or impair the use of any public or private drain, or common sewer or reservoir, but said company shall have the right to cross, or where necessary, to change the direction of any private drain, in such manner as not to obstruct or impair the use thereof, being liable for any injury occasioned by any such crossing or alteration, to the owner thereof, or any other person, in an action on the case.

Obstruction of drains, &c., prohibited.

May change the course of drains, in certain cases.

SECT. 5. The selectmen of said towns of Saco and Biddeford are hereby authorized to contract with said company for lighting the streets and public buildings of said towns, and the moneys necessarily expended therefor, shall be assessed and collected in the same manner as taxes for other purposes.

Lighting of streets, &c.

Management of the affairs of the company, &c.

SECT. 6. The management of the affairs of the company and all expenditures made for the purposes authorized by this act shall be directed by a board of directors, to be chosen annually, of such number as may be prescribed by the by-laws of the company. The accounts of the company shall be kept by a treasurer, who shall be chosen by the directors. The directors shall severally be sworn before the clerk of the corporation to make true and faithful exhibits in their records, of all expenditures directed or allowed by them for the purposes authorized by this act. The treasurer shall in like manner be sworn to make and keep true and distinct accounts of all expenditures authorized by the directors, and paid by him from the funds of the company.

Accounts, how kept.

Records.

Treasurer, to keep correct accounts of expenditures, &c.

SECT. 7. If the said company or any of their servants or officers employed in effecting the objects of the company, shall willfully or negligently place or leave any obstructions in any of the streets of said towns, beyond what is actually necessary in laying down, or taking up and repairing their fixtures, or shall willfully or negligently omit to repair and put in proper condition any street, in said towns, in which the earth or pavements may have been removed by them, the company shall be subject to indictment therefor, in the same manner that towns are subject to indictment for bad roads, and shall be holden to pay such fine as may be imposed therefor, which fine shall be collected, applied and expended in the same manner as is provided in case of the indictments aforesaid against towns, or may be ordered to be paid into the treasury of the town in which such damage was done. If any person shall suffer injury in his person or property by reason of any such negligence, willfulness or omission, he shall be entitled to recover damages of the company therefor, by an action on the case, in any court of competent jurisdiction.

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Company subject to indictment for neglect of officers.

Persons injured by neglect of officers, entitled to damages.

SECT. 8. The selectmen of said towns or either of them for the time being, shall at all times have the power to regulate, restrict and control the acts and doings of said corporation, which may in any manner affect the health, safety or convenience of the inhabitants of said towns.

Selectmen to control said company in certain cases.

SECT. 9. This act shall be taken and deemed to be a public act, and shall be in force from and after its approval by the governor.

[Approved August 24, 1850.]

Chapter 388.

An act to change the names of certain persons.

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

Dodarah Bickford, of Brownfield, shall be allowed to take the name of Ira Bickford; Hellen Jane Little, of Newburg, a minor, and daughter of Orrin C. Little of said Newburg, shall be allowed to take the name of Hellen Jane Gilmore; Ruby Strout, of Monson, shall be allowed to take the name of Ruby Nelson Tyler; John Brown, of Mount Desert, shall be allowed to take the name of John Whipple Brown; George Michaels, of Bath, shall be allowed to take the name of George Mitchell;

Names changed.