

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

EXTRA SESSION OF THE THIRTY-SECOND LEGISLATURE, 1853,

AND THE

## THIRTY-THIRD LEGISLATURE

OF THE

## STATE OF MAINE,

1854.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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Augusta:

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1854.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1854.

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enlarge the foundation of their market house as aforesaid, shall be entitled to the same remedies to recover payment for the same as are by law provided in the case of damages for laying out highways, according to the determination of the county commissioners of the county of Penobscot.

CHAP. 392.

Owners of flats taken entitled to remedy.

[Approved April 20, 1854.]

**Chapter 392.**

An act to incorporate the Ellsworth Gas Light Company.

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

SECT. 1. Arno Wiswell, Andrew Peters, J. F. Rawson, T. D. Jones, Seth Tisdale, C. E. P. Chamberlain, N. A. Joy, Francis Blaisdell, W. H. Black, E. L. M. Allen, Henry Whiting, C. H. Barton, S. Dutton, junior, Daniel Adams, P. W. Perry, Levi Webber, John L. Moore and John P. Langdon, their associates and successors, are hereby constituted a body politic and corporate by the name of the Ellsworth Gas Light Company, and are vested with all the powers and privileges and subject to all the restrictions and liabilities by law incident to corporations of a similar nature.

Corporators.

Corporate name.

SECT. 2. Said corporation is authorized to hold all such real and personal estates as may be necessary and proper, to enable them to carry on the manufacture, distribution and sale of gas, for the purpose of lighting the streets, factories, mills and all other buildings and works in the town of Ellsworth, and to construct such reservoirs, gas holders, gas pipes and other things as may be requisite and proper for such purpose: *provided*, the whole amount of the capital stock of said corporation shall not exceed one hundred thousand dollars.

Authorized to hold real and personal estate.

Purposes of corporation.

Authorized to construct reservoirs, &c.

Proviso, capital limited.

SECT. 3. Said corporation shall have the right to lay gas pipes in any of the public streets or highways in said town of Ellsworth, the consent of the selectmen of said town having first therefor been obtained, and relay and repair the same, subject to such regulations as the health and safety of the citizens and the security of the public travel may require, and as may be prescribed by the selectmen aforesaid.

Right to lay gas pipes, &c.

May relay and repair gas pipes, &c.

SECT. 4. The town of Ellsworth, or any manufacturing or machine company, having its place of business in said Ellsworth, may take and hold stock in said corporation, not exceeding a

Certain corporations or companies may become stockholders..

CHAP. 392.

sum, the legal interest of which will pay for all gas consumed and used for the purpose of lighting the buildings of said companies and the streets and buildings belonging in said town of Ellsworth.

Rights and privileges to extend ten years under certain conditions.

SECT. 5. If the said gas company shall be duly organized within three years from the passage of this act, and shall have within that time raised and expended at least five thousand dollars, for the objects of their incorporation, and shall have actually commenced the lighting in the town with gas, they shall then have and enjoy the franchise and privilege granted them by this act, exclusively for the term of ten years; *provided*, that said company shall at all times, and within a reasonable time after the request by the selectmen of said Ellsworth, supply with gas, to such an extent and in such a manner as may be required, any street or public buildings at a fair and reasonable rate of payment therefor; and in case said parties cannot agree upon the rate of payment, said company shall be obliged to furnish said gas at a rate to be fixed by three disinterested persons, to be selected one by each of said parties, and a third by the two thus selected, who shall be paid by said parties equally; and if said parties shall at any time refuse or unreasonably neglect to comply with this condition, the exclusive privilege herein granted shall be of no effect.

Proviso.

Duty to furnish town of Ellsworth with gas.

Compensation for.

How determined in case of disagreement.

Grant to be void in certain cases.

Town of Ellsworth may become a stockholder.

SECT. 6. At any time after the organization of said company, the town of Ellsworth shall be authorized, upon a vote of the town to that effect, to take and hold in the capital stock of the company, an amount not exceeding one-half thereof, upon paying to the company a like proportional part of the cost up to such time, of all their buildings, works, fixtures, pipes and other property, and ten per cent. of each proportional part in addition thereto. The amount so received by the company for the proportional part so taken by said town shall be distributed and paid over to the other stockholders in proportion to their several interests, and the par value of the several shares held by them shall be reduced accordingly. The company shall at the same time create and issue to the town such a number of shares of the same par value, together with a fractional share, if necessary, as shall represent the whole amount paid by the town for the proportional part of the capital stock so taken. At all the meetings of the stockholders of the company, the town agent of the town of Ellsworth shall be entitled to cast one vote for every share held by the town. And if said company shall neglect to comply with provisions of this section for

Payment of stock.

Amount received for stock, how appropriated.

Par value of shares reduced.

New shares to be created and issued to said town.

Town of Ellsworth entitled to one vote for each share.

the space of one month after a request from the town to that effect, all the rights and privileges of said company shall wholly cease and be of no effect.

SECT. 7. The persons named in this act, or any two of them, may call the first meeting of said corporation, by notice published in any newspaper printed in Ellsworth seven days at least before the day of meeting, and at said meeting by-laws may be adopted and all necessary officers chosen for managing the affairs of said corporation.

First meeting.

SECT. 8. This act shall take effect from and after its approval by the governor.

[Approved April 20, 1854.]

### Chapter 393.

An act to incorporate the Orono Gas Light Company.

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

SECT. 1. Gideon Mayo, Jeremiah Fenno, Charles Hale, Ebenezer Webster, junior, Nathaniel Wilson, Cony Foster, Israel Washburn, junior, and E. P. Butler, their associates and successors, are hereby constituted a body politic and corporate by the name of the Orono 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 prescribed by the general laws of this state in cases of manufacturing corporations.

Corporators.

Corporate name.

Powers, privileges, &c.

SECT. 2. The capital stock of said company shall not be more than ten thousand dollars, and shall be divided into shares of fifty dollars each. The capital stock shall be applied exclusively to the manufacture and distribution of gas, for the purpose of lighting mills, dwellings and other places in the town of Orono: *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 said Orono without the previous assent of the selectmen of the town.

Capital stock.

Shares.

Capital, how applied.

Proviso.

SECT. 3. The said company are hereby authorized to lay down, in and through the streets and highways of said town, and to take up, replace and repair, all such pipes and fixtures

Authorized to lay gas pipes, &c.