

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

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1887.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1887.

Chapter 143.

An Act to incorporate the Cumberland Illuminating Company.

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

SECT. 1. Joseph S. Ricker, Nathan Cleaves, Franklin R. Barrett, George E. B. Jackson, their associates and successors, are hereby constituted a body politic and corporate, by the name of the Cumberland Illuminating Company, for the purpose of supplying light, heat and power, by the manufacture and distribution of gas and electricity in the towns of Westbrook, Deering and Cape Elizabeth, or either of said towns, with all the powers and privileges and subject to all the duties and liabilities by law incident to corporations of a similar nature.

Corporators.

Corporate name.

Purposes.

SECT. 2. The capital stock of said company shall not be less than twenty-five thousand dollars, divided into shares of one hundred dollars each, which may, by vote of the company, be increased to not exceeding five hundred thousand dollars. Said company is authorized to hold such real and personal estate as may be necessary for the purposes of its incorporation.

Capital stock.

May hold real estate.

SECT. 3. The said company is hereby authorized to lay down and maintain in, under, through, along and across the highways, ways, streets, railroads and bridges in the said towns, or either of them, and to take up, replace and repair 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 may enter upon and dig up any road, street, or way in said towns, or either of them, for the purpose aforesaid, with as little obstruction to public travel as may be practicable, and may do such other necessary and proper acts as may be required for the completion and maintenance of its works, provided, that said company shall, without unnecessary delay, from time to time, as may be required, repair all highways, streets and ways in every part where they shall have been entered upon and dug up, and restore the same to a proper condition at its own expense, and to the satisfaction of the selectmen of said towns, or either of them, in the said county where said highways, streets and ways are located.

—lay pipes along highways, etc.

—erect posts, etc.

Shall repair all highways, etc.

SECT. 4. The said company is hereby authorized to purchase the property, rights, franchise, privileges and immunities of any gas or electric light company, now or here-

Authorized to purchase property, etc., of other corporations.

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after existing in any town or city in said Cumberland county, upon such terms and conditions as may be mutually agreed upon; and upon such purchase and a transfer and conveyance of the same to said Cumberland Illuminating Company, it shall succeed to and enjoy all the rights, privileges and immunities now enjoyed by, belonging to, or hereafter granted to any such gas or electric light company.

Authorized to make contracts to supply light, etc.

SECT. 5. The said company is hereby authorized to make contracts with the United States, the state, and with corporations and inhabitants of any such city or town, or either of them, in said county, for the purpose of supplying light, heat and power as contemplated by this act, and the said towns in said county, or either of them, through their selectmen, or any city in said county through its city council, are authorized to enter into contracts with said company for such purposes, from time to time as they may deem expedient.

Liability for damages.

SECT. 6. The said company shall be liable in all cases to repay said towns all sums of money that they or either of them, may be obliged to pay on any judgment recovered against them or either of them, for damages occasioned by any obstruction or taking up or displacement of any street or way by said company, together with fees of counsel and other expenses necessarily incurred by them, or either of them, in defending any suit to recover the same; provided, however, that said company shall have notice of any suit wherein such damages are claimed, and shall be allowed to defend the same at its own expense.

May issue bonds and mortgage property.

SECT. 7. And said company may issue its bonds for the construction of its works upon such reasonable rates and time as it may deem expedient, and in such amount as may be required for the objects of its incorporation and for the purchases authorized by section four of this act, and secure the same by mortgage upon the franchise and property of said company.

First meeting, how called.

SECT. 8. The first meeting of said company may be called by a written notice thereof, signed by any two corporators herein named, and served upon each corporator by giving him the same in hand, or by leaving the same at his last and usual place of abode, at least seven days before the meeting.

SECT. 9. This act shall take effect when approved.