

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## SIXTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

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PRIVATE AND SPECIAL LAWS  
OF THE  
STATE OF MAINE.

1893.

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**Chapter 351.**

An Act to incorporate the Knox Gas and Electric Company.

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

SECT. 1. George E. Macomber, J. Manchester Haynes, John F. Hill, E. K. O'Brien, H. L. Shepherd, W. T. Cobb, S. M. Bird, Fred E. Richards, Fritz H. Twitchell, Galen C. Moses, A. E. Crockett, W. S. White, their associates, successors and assigns, are hereby constituted a body politic and corporate, by the name of the Knox Gas and Electric Company for the purpose of supplying light, heat and power by the manufacture and distribution of gas and electricity, in the city of Rockland and in the towns of Thomaston, Warren, Camden and Rockport, with all the powers and privileges and subject to all the duties, restrictions and liabilities by law incident to corporations of a similar nature.

Corporators.

—corporate name.

—powers.

SECT. 2. The capital stock of the said corporation shall not exceed two hundred thousand dollars, divided into shares of one hundred dollars each, to be fixed from time to time by vote of said company. Said company may hold such real and personal estate as may be necessary for its purposes.

Capital stock.

SECT. 3. The said company is authorized to purchase and hold the capital stock, franchises, property, rights, privileges and immunities of the Rockland and Thomaston Gas Light Company, the Camden and Rockport Electric Light Company, and the Thomaston and Warren Electric Light and Power Company, or of either or any of them, upon such terms as may be agreed upon, and upon such purchase and transfer the Knox Gas and Electric Company shall succeed to and enjoy all the locations, rights, privileges, property, franchises, and immunities now or hereafter granted to or held by said companies or either or any of them.

Company, authorized to hold capital stock, franchises, etc., of other corporations.

SECT. 4. The companies named in section three are authorized to make the contracts, sales and transfers authorized by this act, at meetings called for such purposes. The said Knox Gas and Electric Company may issue its stock in payment and exchange for the stock, franchises and property of the corporations making the transfers aforesaid, but in no event shall the amount of stock so issued exceed the authorized capital stock of the corporations so selling.

Companies named in sec. 3, authorized to make contracts and transfers.

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Pending suits at law, may be prosecuted or defended by company, as if transfer had not been made.

SECT. 5. All proceedings, suits at law or in equity, which may be pending at the time of any such transfer to which either or any of said corporations so selling shall be a party, may be prosecuted or defended by the said Knox Gas and Electric Company in like manner and with the same effect as if such transfer had not been made. All claims, contracts, rights, and causes of action, of or against either or any of said corporations so selling, at law or in equity, may be enforced by suit or action to be begun or prosecuted by or against the said Knox Gas and Electric Company.

Company, required to perform all obligations of existing contracts.

SECT. 6. Upon either or any of the purchases authorized by this act, the said Knox Gas and Electric Company shall thereafter faithfully perform all the obligations of any and all contracts then existing between any corporation so selling and any city, town, municipal corporation or person in each and every particular, and shall be subject to all the liabilities thereof; and shall thereupon succeed to and enjoy all the rights thereunder as fully as if it had been originally a party thereto.

Company, authorized to hold stock in either of the other companies.

SECT. 7. The said Knox Gas and Electric Company is also authorized to purchase and hold stock in either or any of the said companies and may pay for such stock as authorized in section four of this act; and, in such case, any stockholder of the Knox Gas and Electric Company shall be eligible to any office in any of the said companies in which stock is so held. Such stock so held may be pledged or mortgaged under section thirteen of this act.

—eligibility of stockholders.

Authorized to lay pipes, erect posts and wires.

SECT. 8. 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 city and 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, always, that the said company shall, at its own expense, and to the satisfaction of the municipal officers, without unnecessary delay, repair all highways, streets and ways by it so entered upon and dug up and restore the cov-

—may enter upon streets and ways.

—proviso.

ering, pavement and sidewalks thereof respectively. The municipal officers of said city and towns shall, on petition therefor, first giving the notice required by the general laws of the state, designate the location of all posts, wires and fixtures in any street or way within their respective municipalities. The said company may take and hold, as for public purposes, any lands or interest therein, necessary for the purposes of its incorporation; and in case the parties cannot agree upon the damages, the said land shall be taken and the damages therefor estimated, secured and paid as in case of lands taken for railroads.

—municipal officers, may designate location of posts, etc.

—company, may take land.

—damages, how estimated. In case of disagreement.

SECT. 9. The said company shall have power to cross any water-course, private or public sewer, or to change the direction thereof, where necessary for the purposes of its incorporation, but in such manner as not to obstruct or impair the use thereof; and said company shall be liable for any injury caused thereby.

Company may cross private or public sewers.

SECT. 10. No other corporation or person shall be permitted to construct, maintain or operate any lines of pipe, wires, posts or other appliances for the distribution of gas or electricity, for the purposes of light, heat or power, for sale, in or over any of the streets, roads or ways in any city or town in which the said company shall be furnishing light, heat or power under this charter, without first obtaining a special charter therefor.

Exclusive right, granted.

SECT. 11. The said company is authorized to make contracts with the United States, the state, and with corporations and inhabitants of said city and towns for the purpose of supplying light, heat and power as contemplated by this act. The city of Rockland, through its city council, the towns of Thomaston, Warren, Rockport and Camden, and any municipal corporation within said towns, are severally authorized to contract with said company from time to time for a supply of gas and electricity for public purposes, as they may deem expedient.

May make contracts to supply light, etc.

—city of Rockland, and certain towns, authorized to contract for light, etc.

SECT. 12. The said company shall be liable in all cases to repay to said city or to said towns all sums of money by either or any of them paid on any judgment recovered for damages occasioned by any obstruction, or taking up, or displacement of any street by said company, together with counsel fees and other expenses necessarily incurred in defending the same; provided, however, that said company shall have notice

Liability for damages.

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of any suit wherein such damages shall be claimed and shall be allowed to defend the same at its own expense.

May issue bonds and mortgage property.

SECT. 13. The said company may issue its bonds for the construction of its works and for the purposes of its incorporation, from time to time, in such amounts, and on such rates and time, as it may deem expedient, and secure the same by appropriate mortgages upon its property and franchise.

Company, authorized to secure electric power.

SECT. 14. The Knox Gas and Electric Company is authorized to purchase or hire electric power from the Rockland, Thomaston and Camden Street Railway and the last named company is authorized to so furnish such power and to make all necessary contracts therefor.

Charter renewed.

SECT. 15. The charter of the Thomaston and Warren Electric Light and Power Company is hereby renewed and extended for the purposes of this act.

First meeting, how called.

SECT. 16. The first meeting of said company may be called by written notice, signed by any corporator herein named, served upon each corporator by giving him the same in hand, or by delivery in the mail properly addressed, at least three days before the time of meeting.

SECT. 17. This act shall take effect when approved.

Approved January 27, 1893.

## Chapter 352

An Act to amend the charter of the Maine Water Company.

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

Maine Water Company, authorized to supply town of Benton with water.

SECT. 1. The Maine Water Company is hereby authorized to convey to the town of Benton a supply of pure water for domestic, manufacturing and municipal purposes, with all the rights, powers and privileges and subject to all the duties, restrictions and liabilities contained in the charter of said company, and acts amendatory thereto, and also in the charter of the Waterville Water Company and acts amendatory thereto.

Company, authorized to lay pipes in and over Kennebec river.

SECT. 2. For the purposes of section one of this act, the said company is authorized to lay, construct and maintain its pipes under, in and over the Kennebec river, and to build