

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

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1897

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PRIVATE AND SPECIAL LAWS

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OF THE

STATE OF MAINE.

1897.

CHAP. 485

Exclusive right granted.

Towns shall not be liable for negligence of railway.

May issue bonds and mortgage property.

First meeting, how called.

Sect. 15. No other corporation or persons shall be permitted to construct or maintain any railroad for similar purposes over the same streets, roads or ways, that may be lawfully occupied by this corporation.

Sect. 16. Said towns of Kittery and Eliot shall not be liable to pay for any damage to persons or property occasioned by any negligence or fault of said railway during construction.

Sect. 17. The directors of this company may, from time to time, raise or borrow for the use and purposes of the company, any sum or sums not exceeding two hundred thousand dollars, by the issue of bonds or debentures in sums of not less than one hundred dollars, and not exceeding the amount of capital stock subscribed for, on such terms and credit as they may think proper, and may pledge or mortgage all the tools, property, franchise and income of the company or any part thereof, for the repayment of the money so raised or borrowed, and the interest thereon, provided, always, that the consent of a majority in value of the stockholders of the company, shall be first had and obtained at a regular or special meeting to be called and held for that purpose.

Sect. 18. The first meeting of the incorporation under this act, may be called by either of the corporators giving notice to the others in writing, at least seven days before the time of said meeting, of the time and place of said meeting.

Sect. 19. This act shall take effect when approved.

Approved March 20, 1897.

Chapter 485.

An Act to incorporate the Lubec Electric Light and Power Company.

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

Corporators.

—corporate name.

Sect. 1. Clarence H. Clark, Bion M. Pike, Clarence E. Watts, Charles J. Staples, Robert G. McBride, Alexander B. Sumner and Jacob C. Pike, their associates, successors and assigns, are hereby made a body corporate by the name of Lubec Electric Light and Power Company, with all the powers, rights and privileges, and subject to all the duties and obligations conferred and imposed on corporations by law, except as otherwise provided herein.

Sect. 2. Said company is authorized and empowered to carry on the business of lighting by electricity, such public streets of the town of Lubec, and such buildings and places therein, public and private, as may be agreed upon by said corporation and the owners or those having control of such places to be lighted; and may furnish motive power by electricity within the limits of said town of Lubec; and may build and operate manufactories and works for the providing and supplying of electricity and light and power, and may lease, purchase and hold real and personal estate for the proper objects of the corporation, to the amount of twenty thousand dollars, and to construct, lay, maintain and operate lines of wire or other material for the transmission of electricity, submarine, under ground, upon, under and along and over any and all streets and ways, under the direction of the municipal officers of said Lubec; and in public places in such a manner as not to endanger the appropriate public use thereof, and to establish and maintain, under direction of said municipal officers, all necessary posts, pipes, supports, and appurtenances, and terminating at such points as may be expedient.

Sect. 3. For the erecting said wires above ground and for laying the same, or pipes thereof, submarine or under ground, and for taking up, replacing and repairing the same, said company shall first obtain the consent of the municipal officers of said town, and perform all said acts as directed by said municipal officers; and said company shall repay to said Lubec any sum which said town may have been compelled to pay on any judgment for any damages caused by a defect or want of repair in the streets or ways thereof, due to the neglect of said company, or on any judgment for damages caused by the negligence of said company in the erecting and maintaining of any posts, wires or appurtenances connected with said business.

Sect. 4. Said company, at its own expense, without unnecessary delay, shall remove any and all obstructions in any street or way, made in erecting or laying the lines for such purposes, and cause earth disturbed to be properly replaced. It shall not be allowed to obstruct or impair the use of any public or private drain, or gas pipe, or sewer, telegraph or telephone wire, but may cross, or when necessary, change the direction of any private wire or pipe, drain or sewer, in such manner as not to obstruct or impair the use thereof, being responsible to the

CHAP. 485
May light
streets.

furnish
motive
power.

build
works, etc.

may lay
and operate
lines of
wire, under
direction of
municipal
officers.

Shall first
obtain con-
sent of
town off-
icers.

Shall not
obstruct
streets.

shall not
impair use
of any pub-
lic drain,
etc.

CHAP. 485 owner or other person for any injury occasioned thereby, in an action on the case.

Damages for land, how estimated if parties cannot agree.

Sect. 5. Damages for any land taken for the purposes of erecting or laying said lines, if the parties cannot agree, shall be estimated, secured and paid as in the case of lands taken for railroads.

Liable for depreciating value of private property.

Sect. 6. Nothing contained in this act shall be construed to affect or diminish the liability of said corporation for any injury to private property, by depreciating the value thereof or otherwise, but any legal remedies existing shall continue.

Selectmen shall have power to control acts of corporation.

Sect. 7. The selectmen of said Lubec, for the time being, shall, at all times, have the power to regulate and control the acts and doings of said corporation, which may in any manner affect the health or safety, or become a nuisance to the inhabitants of said town.

Capital stock.

Sect. 8. The capital stock of said company shall not exceed ten thousand dollars, divided into shares of fifty dollars each.

May issue bonds and mortgage property.

Sect. 9. Said company is hereby authorized to issue bonds for the construction of its works upon such rates and time, and in such amount as it may deem necessary, not to exceed ten thousand dollars in all, and not to exceed the amount of capital stock subscribed for, and to secure the same by mortgage or deed of trust upon its franchise and property.

First meeting, how called.

Sect. 10. Any two of the corporators named in this act may call the first meeting of the corporation by mailing a written notice, signed by both, postage paid, to each of the corporators, seven days at least before the day of the meeting, naming the time, place and purpose of said meeting; a president, secretary and directors may be chosen, by-laws adopted, and any corporate business transacted.

Act may be accepted by majority vote of members.

Sect. 11. This act may be accepted at any regular meeting of said association by a majority of the members present.

Sect. 12. This act shall take effect when approved.

Approved March 20, 1897.