

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1901.

Chapter 358.

An Act to Legalize and make Valid the acts of the Town of Monmouth.

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

Section 1. The acts and doings of the town of Monmouth, at its annual meeting held March twelfth, in the year nineteen hundred, in pursuance of the warrant calling said meeting, are hereby made legal and valid, notwithstanding an error in the signing of the copies of said warrant posted by the town constable.

Doings of the town of Monmouth made valid.

Section 2. This act shall take effect when approved.

Approved March 13, 1901.

Chapter 359.

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

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

Section 1. L. T. Carleton, L. B. Jones, W. A. Whiting and H. E. Foster, their associates, successors and assigns, are hereby made a body corporate by the name of the Winthrop 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.

Corporators.

—corporate name.

Section 2. Said company is authorized and empowered to carry on the business of lighting by electricity such public streets in the town of Winthrop, 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 Winthrop; and may build and operate manufactories and works for the providing and supplying of electricity and light and power, and may contract with any other electric light and power company for the same purpose; and may lease, purchase and hold real and personal estate for the proper objects of the corporation, to the amount of ten thousand dollars, and to construct, lay, maintain and operate lines of wire or other material for the transmission of electric, submarine, under ground, upon, under and along and over any and all streets and ways under the direction of the municipal officers of said Winthrop; and in public places in such a manner as not to

Authorized to furnish light and power.

—erect works.

—hold property to the amount of \$10,000.

—lay lines of wire along streets but not to the injury of same.

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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.

Erecting wires and laying of pipes shall be by consent of municipal officers.

Section 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 acts as directed by said municipal officers; and said company shall repay to said Winthrop 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.

—liable for damages.

Shall not obstruct streets nor impair any sewer, gas pipe, or telephone or telegraph wire.

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

Damages how estimated in case of disagreement.

Section 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.

Liability for injury to private property.

Section 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. The selectmen of said Winthrop, 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.

—selectmen shall have control of doings of corporation.

Capital stock.

Section 7. The capital stock of said company shall not exceed ten thousand dollars, divided into shares of fifty dollars each.

Authorized to issue bonds and mortgage property.

Section 8. Said company is hereby authorized to issue bonds for the construction of its works upon such rates and time, and to 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.

Section 9. Manufactories and other business corporations doing business in said Winthrop are hereby authorized to subscribe and hold stock in said company.

Business corporations authorized to hold stock.

Section 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.

First meeting, how called.

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

When and how act may be accepted.

Approved March 13, 1901.

Chapter 360.

An act to amend Chapter two hundred and eight of the Private and Special Laws of one thousand eight hundred and ninety-five, entitled "An Act to enable the proprietors of the Bangor Bridge to dispose of their bridge property."

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

Section 1. Chapter two hundred and eight of the private and special laws of one thousand eight hundred and ninety-five is hereby amended so that said chapter, as amended, shall read as follows:

Chapter 208, special laws 1895 amended.

Section 1. The cities of Bangor and Brewer, or either of them, with the assistance of the county of Penobscot as hereinafter provided, are authorized to take and purchase the bridge, property and appurtenances of the Bangor Bridge Company, on the payment to said company of such sum as may be agreed upon; or as may be found as the value of said bridge, property and appurtenances, by a committee of three disinterested men, to be appointed by the chief justice of the supreme judicial court, the award of a majority of whom shall be reported to the supreme judicial court, in Penobscot county, in term time or in vacation, and the said chief justice may confirm the same or reconmit it for the correction of errors, if justice so requires. The award of the committee shall be conclusive as to the amount.

Cities of Bangor and Brewer authorized to purchase Bangor bridge.

—committee may be appointed to fix value.

—award conclusive.

Section 2. The said cities of Bangor and Brewer may at any time, file a petition in the clerk's office of the supreme judicial court for said county of Penobscot, in term time or in vacation,

Appointment of committee.