

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 388.

An Act to incorporate the Ashland Light and Water Company.

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

Section 1. Elbridge G. Dunn, George B. Hayward, E. R. McKay, Nathaniel S. Coffin, Lewis C. Coffin, George H. McNally, George S. Orcutt, Whitfield B. Hallett, Seth S. Thornton, with their associates and successors, are hereby made a corporation by the name of the Ashland Light and Water Company, for the purpose of supplying the town of Ashland with electric light, electric power and pure water.

Corporators.

—corporate name.

Section 2. Said corporation, for said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding one hundred thousand dollars.

May hold estate not exceeding \$100,000.

Section 3. Said corporation is hereby authorized for the purposes aforesaid, to erect and maintain dams, reservoirs and stand pipes, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disbursing water, and forming proper reservoirs therefor, and said corporation may take and hold by purchase or otherwise any lands or real estate necessary therefor, may take, store and use the water of any river, stream, lake, pond or spring, and may excavate through any lands when necessary for the purposes of this corporation.

May erect dams, etc.

—may take land and water.

Section 4. Said corporation is hereby authorized for the purposes aforesaid to carry on the business of lighting by electricity or otherwise, such public streets in the town of Ashland, 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 or otherwise, within said town and may build and operate manufactories and works for providing and supplying electricity, light and power, and may take, lease, purchase and hold real estate, and personal estate therefor, and to construct, lay, maintain and operate lines of wire or other material for the transmission of electricity or power, upon, under, along and over any and all streets and ways under the direction of the municipal officers of said town.

Authorized to furnish light and power.

—may lay lines of wire.

Section 5. Said corporation shall be held liable to pay all damages that shall be sustained by any person by the taking of any land or other property, or by flowage, or by excavating through any land for the purposes of laying down pipes and aqueducts, building dams, reservoirs, and also damages for any other injuries resulting from said acts; and if any person sus-

Liable for all damages and how ascertained in case of disagreement.

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taining damage as aforesaid, and said corporation cannot mutually agree upon the sum to be paid therefor, either party on petition to the county commissioners of Aroostook county may have the damages assessed by them; and subsequent proceedings and rights of appeal thereon shall be had in the same manner and under the same conditions and restrictions and limitations as are by law provided in case of damages by laying out highways.

Capital stock.

Section 6. The capital stock of said corporation shall be one hundred thousand dollars, said stock to be divided into shares of twenty dollars each.

May lay down pipes and aqueducts under restrictions imposed by selectmen.

Section 7. Said corporation is hereby authorized to lay down, in and through the streets and ways of said town of Ashland, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of their incorporation, under such reasonable restrictions as may be imposed by the selectmen of said town, and said corporation shall be responsible for all damage to persons and property occasioned by the use of such streets and ways, and shall further be liable to pay to said town all sums recovered against said town for damages from obstructions caused by said corporation, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on same.

May contract to supply water, light and power.

Section 8. Said corporation is hereby authorized to make contract with said town of Ashland, and with other corporations and individuals, for the purpose of supplying water, electric lights and power as contemplated by said act; and said town of Ashland by its selectmen, is hereby authorized to enter into contracts with said company for the supply of water, electric lights and power and such exemption from public burden as said town and said company may agree upon, which, when made, shall be legal and binding upon all parties thereto. And said town by vote may purchase stock in said corporation, or guarantee interest on stock or bonds of said corporation and take and hold security upon its franchise or other property.

—town may contract for water, etc., and exempt from taxation.

—town may hold stock.

May cross any sewer but shall not impair use thereof.

Section 9. Said corporation shall have power to cross any private or public sewer, or to change the direction thereof, when necessary for the purposes of this corporation, but in such a manner as not to obstruct or impair the use thereof, and said corporation shall be liable for any injury caused thereby. Whenever the company shall lay down any pipes in any street, or make any alteration or repairs upon its works in any street, it shall cause the same to be done with as little obstruction to public travel as may be practical, and shall at its own expense, without

unnecessary delay, cause the earth and pavements removed to be replaced in proper condition.

Section 10. Said corporation may issue its bonds for the construction of its works, upon such rates and terms as it may deem expedient, not exceeding one hundred thousand dollars, and secure the same by mortgage of the franchise and property of said company.

May issue bonds and mortgage property.

Section 11. The first meeting of this corporation may be called by written notice signed by any three of the incorporators, and served by personal service upon each of the other incorporators seven days before the day of said meeting.

First meeting, how called.

Section 12. This act shall become null and void in four years from the time when the same takes effect, unless the corporation shall have organized and commenced the construction of its works under this charter.

When act shall become void.

Section 13. The inhabitants of said town of Ashland are hereby authorized to purchase the franchise and property of said corporation, at any time after three years from the time this act takes effect, upon a two-thirds vote of the legal voters present and voting at any annual meeting, called by a warrant containing an article for that purpose.

Town may purchase property any time after three years.

Section 14. If said corporation and said town of Ashland cannot agree upon a value of said franchise and property the same may be determined by a commission of three men, one to be appointed by the corporation, one by the town, and one by any justice of the supreme court.

How value may be determined.

Section 15. Said inhabitants of said town of Ashland, in case said town shall purchase the franchise and property of said corporation, shall succeed to all the rights and privileges of said corporation, and be subject to all its duties and obligations, and the above named incorporators shall manage said franchise and property as trustees for said town of Ashland.

Town shall succeed to all the rights of the company in case of purchase.

Section 16. This act shall take effect when approved.

Approved March 19, 1901.