

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

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

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

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--limitation
of amount
of loans.

to carry into effect the provisions of this act, and for that purpose notes or obligations signed by said treasurer, and countersigned by the chairman of the board of county commissioners, shall be issued with interest bearing coupons attached for the payment thereof at such times as they, the said commissioners, shall deem expedient, but such loan shall not exceed one per cent of the valuation of the county as established by the legislature or state board of assessors in nineteen hundred and five, and the proceeds of said bonds together with all sums received from the sale of lands to settlers and receipts from the cutting of timber or lumber, collected by the commissioners, shall be held by said treasurer as a fund for carrying out the purposes of this act. And said commissioners are authorized to draw warrants on the treasurer of the county in such sums as may be required from time to time to be paid from said fund.

Section 18. This act shall take effect when approved.

Approved March 22, 1905.

Chapter 362.

An Act to incorporate the Waterville Gas and Electric Company.

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

* Corporators.

--corporate
name.

--purposes.

Section 1. William T. Haines, Luther H. Soper, and John E. Nelson, their associates, successors, and assigns, are hereby incorporated under the name of the Waterville Gas and Electric Company, for the purpose of manufacturing, generating, selling, distributing, and supplying gas and electricity for lighting, heating, traction, transportation, manufacturing, or mechanical purposes, in the city of Waterville and the towns of Fairfield and Winslow, or for any or either of such purposes, with all the rights, powers and privileges, and subject to all the restrictions and liabilities by law incident to similar corporations; also for the purpose of buying, leasing, and operating, the property, capital stock, bonds, rights, privileges, immunities, and franchises of any individuals, firms, or corporations doing a similar business in the city of Waterville and the towns of Oakland, Fairfield, Benton, and Winslow.

Capital stock.

Section 2. The capital stock of said company shall not exceed one million dollars, divided into shares of one hundred dollars each. Said company may hold all real and personal estate necessary and convenient for the purposes aforesaid.

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Section 3. Said company is hereby authorized to make, manufacture, distribute, sell, and dispose of gas in the city of Waterville and the towns of Fairfield, Benton, Oakland, and Winslow, and to lay down gas pipe in and through the streets and ways of said municipalities, and to take up, replace and repair the same, and to build, construct, and maintain all fixtures, reservoirs, gas holders, and other things requisite, proper, and convenient for the manufacture, distribution, and sale of gas in said municipalities. And said company is further authorized to set poles and extend wires, both above and under ground, in and through said streets and ways, and to erect, repair, and maintain, all poles, posts, wires and fixtures, necessary for the purposes of its incorporation, all subject to the permission of the municipal officers of said municipalities, under such reasonable restrictions as they may lawfully impose, and subject to the general laws of the state relative thereto. Provided, however, that said company shall not engage in the manufacturing, generating, selling, distributing, or supplying of electricity for any of the said purposes until said company, hereby created, shall have acquired control, by lease, purchase, or otherwise, of all of the electric companies hereinafter named now doing the same business in said Waterville.

Authorized to make and supply gas in certain towns.

—to lay gas pipe, etc.

—to set poles.

—shall generate and supply electricity only on acquisition of certain franchises and properties.

Section 4. Said company shall repay to any city or town any sum of money which said city or town may have been compelled to pay on any judgment for any damages caused by a defect or want of repair in the streets 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, or in the taking up or repairing, of any posts, wires, pipes, or appurtenances connected with its said business. Said company, at its own expense, without unnecessary delay, shall remove any obstruction in any street, made in erecting or laying the lines or pipes for such purposes, and cause earth or pavements 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 on streets due to neglect of company, liability for.

—shall not obstruct, but may cross, drains, sewers, etc.

Section 5. The said company is further authorized to purchase, or lease, and hold, the property, capital stock, and bonds, rights, privileges, immunities, and franchises of the Waterville and Fairfield Railway and Light Company, the Union Gas and

Authorized to purchase certain other properties, franchises, etc.

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Electric Company, the Messalonskee Electric Company, the Oakland Electric Company, the Waterville and Oakland Railway Company, or any or either of them, and the property, rights, immunities, and privileges of any other persons, firms, or corporations doing an electric or gas business in any of said municipalities, upon such terms as may be agreed upon, and upon such purchase and transfer or lease, this company shall have, exercise, and enjoy all the locations, powers, immunities, franchises, rights, and estates then held and enjoyed by the corporations, firms, or individuals so selling or leasing, and shall be subject to all the duties, restrictions, and liabilities to which they or any of them shall be subject by reason of any charter, contract, or general or special law. The said company is also authorized to purchase, sell, and deal in the stocks and bonds of the above named companies.

Pending suits, by whom prosecuted or defended.

Section 6. All proceedings, suits at law or in equity, which may be pending at the time of any such transfer, to which any of the corporations so selling or leasing may be a party, may be prosecuted or defended by the said company hereby created, in like manner and with like effect as if such transfer had not been made. All causes of action, at law or in equity, of or against either of said corporations, may be prosecuted by or brought against the said company hereby created.

Sale of certain other properties authorized.

Section 7. The Waterville and Fairfield Railway and Light Company, the Union Gas and Electric Company, the Messalonskee Electric Company, the Oakland Electric Company, the Waterville and Oakland Railway Company, or any other person, firm, or corporation doing a gas or electric business in any of said municipalities, are authorized to make a sale or lease as aforesaid.

Authorized to issue stock and bonds for properties aforesaid.

Section 8. The said Waterville Gas and Electric Company may issue its stock and bonds in payment and exchange for properties and estates aforesaid so bought or leased, and for the stock or bonds of said individuals, firms or corporations, but the amount of stock so issued shall not exceed the authorized capital stock of the company so selling or leasing.

May issue bonds secured by mortgage.

Section 10. The said company may issue its bonds to the amount of its capital stock, from time to time, upon such rates and time as it may deem expedient and in such amounts as may be required, and secure the same by mortgages upon its property and franchises.

Section 11. This act shall take effect in one month from the date of its approval.

Approved March 22, 1905.