

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.

CHAP. 384

Chapter 384.

An Act to amend An Act entitled "An Act to set off a part of Plantation Number Seven, and annex it to the town of Gouldsboro," of the Private and Special Laws of one thousand nine hundred and five, relating to the adjustment of their valuation.

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

An Act to set off part of plantation number seven amended.

Valuation of plantation decreased.

—valuation of Gouldsboro increased.

Section 1. The act entitled "An Act to set off a part of plantation number seven, and annex it to the town of Gouldsboro," is hereby amended as follows:

'Section 2. The valuation of said plantation number seven as made by the state assessors in their valuation of said plantation for the years one thousand nine hundred five and six, is hereby decreased and diminished by the sum of five thousand dollars; and the valuation of the said town of Gouldsboro as made by the said assessors in their valuation of said town for the said years is hereby increased and raised by the sum of five thousand dollars. And the state treasurer is hereby authorized to deduct from the south division, south part of said plantation the tax on the acreage of the Sowle tract, so called, set off from said plantation and annexed to the town of Gouldsboro, containing two thousand eight hundred acres.'

Section 2. Section two of said act is hereby numbered and constituted section three.

Approved March 24, 1905.

Chapter 385.

An Act relating to the Powers of the Portland Gas Light Company.

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

Charter extended.

—for fifteen years.

—on condition that city of

Section 1. The franchise, rights and privileges of the Portland Gas Light Company, a corporation existing under the laws of the state of Maine heretofore granted to said company by its charter and acts amendatory thereof and additional thereto are hereby extended for a term of fifteen years beyond the period of limitation now fixed by law, subject to the same terms and conditions as therein contained except as modified hereby, and said company is hereby authorized and empowered to issue bonds secured by mortgage upon its property and franchises in a sum not exceeding in the aggregate the amount of its authorized capital stock; provided, however, and this grant is upon the condition that the city of Portland shall be authorized and shall have

the right at the expiration of said term, upon vote of the city council to that effect, to take possession of and own for municipal purposes the entire plant, property and franchises, rights and privileges held and owned by said Portland Gas Light Company, upon payment therefor of the amount which said plant, property, franchises, rights and privileges shall fairly and equitably be worth.

Portland may take possession of at end of said term.

In order to carry out the purpose of possession and ownership aforesaid, the city council shall at least three months before the expiration of said term give notice to the company of its intention to exercise the right herein granted, and shall procure judicial appraisal of said property by bill in equity filed in the supreme judicial court for the county of Cumberland for that purpose at or before the expiration of the term of said franchise, and jurisdiction is hereby given to said court over the entire matter, including application of the purchase money, discharge of incumbrances and transfer of the property, for the purpose of fixing the valuation thereof and making just compensation therefor it shall appoint three competent and disinterested appraisers, and upon payment or tender by said city of the amount fixed and the performance of all other terms and conditions imposed by the court said entire plant, property, franchises, rights and privileges shall become vested in said city and be free from all liens, mortgages and incumbrances theretofore created by said Portland Gas Light Company.

Notice of judicial appraisal shall be given.

--purpose of appraisal.

The appraisers shall, after due notice and hearing, make their report to the court, and the court may accept such report or reject it or recommit the same or submit the subject matter thereof to a new board of appraisers and make any order relating to the same which justice and equity may require.

Appraisers shall make report to court.

Section 2. The said Portland Gas Light Company is hereby prohibited from making any consolidation or business combination either direct or indirect with any other corporation, firm or individual engaged in furnishing light or heat by either gas or electricity, and any such attempted consolidation or agreement for such purpose shall be wholly void and of no effect, and in case of any such attempted consolidation or business combination, the supreme judicial court shall have jurisdiction in equity in regard to the same and shall make such orders and decrees as may be necessary or proper to enforce the provisions of this section.

Shall not consolidate with similar corporation.

Section 3. This act shall take effect when approved.