

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-THIRD LEGISLATURE
OF THE
STATE OF MAINE
1907.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1907.

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fixed by the
selectmen.

—privilege
of taking
may be dis-
posed of.

days in each week; and the selectmen of each of said towns, shall annually, in the month of April, appoint the days in each week for taking said fish, and the place and manner of taking them, and post notifications thereof in some public place, in their respective towns, at least seven days before the said fifth day of May; and it shall be lawful for the said towns respectively, in legal town meeting, to sell and dispose of the privilege of taking said fish for any term not exceeding one year, at any one time, to any person or persons, under such restrictions and regulations as the said town shall respectively direct, and the profits arising from such sale shall be appropriated to such purposes as the inhabitants of said town respectively shall order.'

Approved March 26, 1907.

Chapter 414.

An Act for the protection of Female Deer in Cumberland County.

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

Close time
on deer.

Section 1. It shall be unlawful to hunt, chase, catch or kill any female deer at any time within the county of Cumberland for the term of two years, under the penalty provided in the general law for illegal hunting or killing of deer.

Inconsist-
ent acts
repealed.

Section 2. All laws inconsistent with this act, are hereby repealed.

Approved March 26, 1907.

Chapter 415.

An Act to incorporate the Municipal Light and Power Company.

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

Corpo-
rators.

Section 1. W. Fred Spear, George T. Spear, George H. Weeks, William E. Allen, Luther B. Roberts and Frank D. Marshall, their associates, successors and assigns are hereby incorporated under the name of the Municipal Light and Power Company, for the purpose of manufacturing, generating, selling, distributing and supplying gas and electricity for lighting, heating, traction, transportation, manufacturing, mechanical and domestic purposes, in the city of South Portland and in the town of Cape Elizabeth, or for any of said purposes with all the rights, powers and privileges, and subject to all the restrictions

—corporate
names.

—purposes.

and liabilities, by law extended 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 said municipalities, or either of them.

Section 2. The capital stock of this company shall not exceed two hundred thousand dollars, divided into shares of the value of ten dollars each, and said company may hold real and personal estate necessary and convenient for the purposes aforesaid.

Capital stock.

Section 3. Said company is hereby authorized to make, manufacture, sell and dispose of gas in said city of South Portland and said town of Cape Elizabeth, and to lay down gas pipes in, along and through the streets and ways of said municipalities, and to take up, replace, repair, construct and maintain all fixtures, reservoirs and other things proper and convenient for the manufacture, distribution and sale of gas in any of said municipalities.

May make and sell gas.

—may lay pipes along streets and ways.

Said company is further authorized to make, generate, sell, distribute and supply electricity within each of said municipalities for the purposes named in section one of this act, and to set poles, extend wires and to construct and maintain conduits in, through and along the streets and ways thereof, and to erect and maintain all poles, posts, wires and fixtures necessary for the purposes of this corporation, subject to the approval of the municipal officers of said municipalities, and under such reasonable restrictions as they may lawfully impose, and subject to general laws relative thereto.

May generate and sell electricity.

—may set poles and extend wires, etc.

Section 4. Said company shall repay to said city of South Portland, and said town of Cape Elizabeth any sum of money which said city or said town may have been compelled to pay on account of any judgment for 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 erecting or 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 and without unnecessary delay shall remove any obstruction in any street or way made in erecting, laying or repairing its lines or pipes and cause the earth or pavements disturbed to be properly and promptly replaced. It shall not be allowed to obstruct or impair the use of any public or private way or gas pipe or sewer, telegraph or telephone wire, but may cross, and when necessary, change the direction of any pipe, wire, drain or sewer, in such manner as not to obstruct or

Liability for damages.

—shall remove obstructions in streets.

—may cross but shall not obstruct sewers, etc.

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impair the use thereof, being responsible to the owner thereof, or other person, for any injury occasioned thereby in an action on the case.

May contract to supply light, heat and power.

Section 5. Said company is hereby authorized to make contracts with the United States, with corporations and with the inhabitants of said city of South Portland and said town of Cape Elizabeth, for the purposes set forth in said charter, and said city of South Portland and said town of Cape Elizabeth are authorized and entitled to contract with said company from time to time for light, heat or power as they may deem expedient.

City of South Portland may take over plant.

Section 6. This charter is granted upon the condition that said city of South Portland shall have the right upon vote of its legal voters to take possession of and own for municipal purposes the entire plant, property, franchise, rights and privileges of said municipal light and power company, upon payment therefor of the amount which the same shall be fairly and equitably worth.

—proceedings in case of transfer of property.

To carry out the purpose of possession and ownership aforesaid thirty days notice, in writing, of the vote passed by said city shall be given by its municipal officers, and thereupon said municipal officers shall proceed by bill in equity, in the name and behalf of the municipality, to procure a judicial appraisal and transfer of said property; and jurisdiction is hereby given to the supreme judicial court over the entire matter, including the application of the purchase money, discharge of incumbrances and transfer of the property, and for the purpose of fixing the valuation thereon and making a just compensation therefor said court shall appoint a board or boards of competent and disinterested appraisers, and upon payment or tender by said municipality of the amount fixed and the performance of all other terms and conditions imposed by the court said plant, property, franchise, rights and privileges shall be vested in said municipality, free from all liens, mortgages and incumbrances heretofore created by said company.

—authorized to furnish light, heat and power.

If said city of South Portland shall take over the property of said company as hereinbefore provided, said city is authorized to furnish light, heat and power in connection with, and as a part of, its main plant to said town of Cape Elizabeth and the inhabitants thereof and said town and the inhabitants thereof are entitled to contract for the same; and for said purpose said city of South Portland is authorized to maintain and extend its lines within said town subject to the liabilities imposed by section four of this act.

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Consent of
corporation,
etc.

Section 7. But nothing in this act contained shall be held to authorize this corporation to sell or distribute electricity to be used directly or indirectly for the purpose of electric lighting without the consent of the persons, corporation or corporations legally conducting or authorized to conduct the business of electric lighting within said city of South Portland or said town of Cape Elizabeth.

Section 8. The first meeting of said corporation may be called by written notice thereof, served upon each incorporator by copy of the same given in hand or sent by mail, postage prepaid, at least seven days prior to the day named therein for said meeting.

First meet-
ing, how
called.

Section 9. This act shall take effect when approved.

Approved March 26, 1907.

Chapter 416.

An Act to establish a Board of Education in the city of Augusta, and to provide for a uniform system of schools therein.

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

Section 1. A board of education is hereby created in the city of Augusta, to consist of nine persons, one from each of the eight wards of said city, elected as hereinafter provided, and the president of the trustees of the Cony Female Academy in said city, who shall be, ex-officio, a member of said board and entitled to participate in its deliberations and serve upon any committees of its own appointment, but who shall vote only in case of a tie.

Board of
education
created.

Section 2. On the first Monday of June, nineteen hundred and seven, at half past seven o'clock in the evening, the electors of the several wards in the city of Augusta, qualified to vote at municipal elections therein, and without regard to their political affiliations, shall meet in such place in the ward as the mayor and aldermen of said city may designate in their warrants, for the purpose of electing, in each ward, one member of the board of education. Said meeting shall be called by the mayor and aldermen by a warrant for each ward under their hands, stating the time, place and purposes of the meeting, true and attested copies whereof shall be posted by the city marshal or any constable of the said city at least seven days before the day of the meeting and in at least two public and conspicuous places in the ward. The marshal or said constable shall cause the original warrants, with a return of his doings thereon, to be delivered to

Election of
board of
education.—call of
meeting.