

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

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

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

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stock and bonds of any company mentioned in section 3 of this act.

May purchase, lease and hold real and personal estate.

May guarantee bonds.

May make connection with Auburn and Turner Railroad Co., and contract for interchange of cars and for running rights.

Authorized to connect with M. C. R. and Portland and Rumford Falls R. R.

wise dispose of the shares of capital stock of, or any bonds, securities or evidences of indebtedness of any company mentioned or described in section three of this act, or of any company, the purposes, business or operations of which are incidental or germane to or connected with the purposes, business or operations of this corporation, and while owners of such stock may exercise all the rights, powers and privileges of ownership, including the right to vote thereon.

Section 8. Said corporation may lease, purchase, receive, let, dispose of and hold any such real and personal estate as may be necessary or convenient for the purposes of its business.

Section 9. Said corporation may guarantee the bonds or other obligations of any company or companies, the property and franchises of which it shall have purchased or leased, or the stock a majority of which it shall have acquired.

Section 10. Said corporation is authorized to make connection with the line of the Auburn and Turner Railroad Company, in accordance with the provisions of section twenty-one of chapter fifty-three of the revised statutes, and to contract with said Auburn and Turner Railroad Company and with the Lewiston, Augusta and Waterville Street Railway for the interchange of cars and for running rights, on such terms and in such manner as may be mutually agreed upon between the parties.

Section 11. Said corporation is authorized to make such connections with the lines of the Maine Central Railroad Company and the Portland and Rumford Falls Railroad Company as may be mutually agreed upon, and to contract with the company or companies owning or controlling said lines, for such interchange of cars as may be deemed proper.

Approved March 18, 1909.

Chapter 235.

An Act granting additional privileges to the Peaks Island Gas Company.
Be it enacted by the People of the State of Maine, as follows:

Conditions under which additional privileges shall be granted to Peaks Island Gas Company.

Section 1. If the Peaks Island Gas Company organized under chapter ninety-four of the private and special laws of nineteen hundred and five shall, within two years after this act takes effect, establish a water or coal gas plant on Peaks island in the city of Portland for the purpose of supplying water or coal gas for lighting, heating, manufacturing or mechanical purposes on said Peaks island, and the same shall be in actual

use for said purposes within said two years, said Peaks Island Gas Company shall have and enjoy the franchise and privileges granted to them on said Peaks island by said chapter ninety-four exclusively for a term of twenty-five years from the taking effect of this act; and this grant is upon the condition that said Peaks Island Gas Company shall, at all times after January eleventh, nineteen hundred and eleven, and within a reasonable time after request by the city council of Portland, supply gas to such an extent and in such a manner as may be required for lighting any street or public building on said Peaks island, or to any person, firm or corporation using the same for lighting, heating and manufacturing or mechanical purposes, at a fair and reasonable rate of payment therefor; and in case said parties cannot agree upon the rate of payment therefor, said company shall be obliged to furnish said gas at a rate to be fixed by three disinterested persons to be appointed by any justice of the supreme judicial court upon petition by either of the parties interested; and if said company shall at any time refuse or unreasonably neglect to comply with this condition, the exclusive privileges herein granted shall be of no effect.

This grant is made upon the further condition that the consent of the Portland Gas Light Company be obtained thereto and that the city of Portland shall have the right at the end of said twenty-five years, upon vote of its city council to that effect, to take over, purchase and own for municipal purposes, the entire property, plant, franchise, rights and privileges of said Peaks Island Gas Company, upon paying therefor whatever said property, plant, franchise, rights and privileges are fairly and equitably worth.

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 encumbrance 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

—further conditions

—City of Portland shall have right, in 25 years, to take over plant.

—City council shall notify company of its intention.

—Appraisal of property.

—Court shall appoint three appraisers.

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and the performance of all other terms and conditions imposed by the court, said entire plant, property, franchise, rights and privileges shall become vested in said city and be free from all liens, mortgages and incumbrances theretofore created by said Peaks Island Gas Company.

—Appraisers shall make report to the court.

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.

Approved March 18, 1909.

Chapter 236.

An Act to amend the Charter of the Trustees of Hebron Academy.

Be it enacted by the People of the State of Maine, as follows:

Charter amended.

The charter of the trustees of Hebron Academy, in regard to the term of office of the trustees is hereby amended so as to read as follows:

—trustees, number and tenure, shall be elected in classes.

The number of trustees shall be fifteen, their term of office shall be three years, except as otherwise provided herein. The trustees shall be elected in classes of five each, namely: Class number one, class number two, and class number three.

—Class number one.

At the annual meeting in June, nineteen hundred and nine, five trustees shall be elected to hold office for three years, to be denominated class number one, and the five trustees so elected shall take the place of the first five trustees now on the printed list as published by the academy, whose term shall expire by virtue of this act upon the election of their successors as above provided.

—Class number two.

At the annual meeting in June, nineteen hundred and ten, five trustees shall be elected to hold office for three years, to be denominated class number two, and the five trustees so elected shall take the place of the second five trustees in the printed list as published by the academy, whose term shall expire upon the election of their successors.

—Class number three.

At the annual meeting in June, nineteen hundred and eleven, five trustees shall be elected to hold office for three years, to be denominated class number three, and the five trustees so elected shall take the place of the last five trustees now on the printed list as published by the academy, whose term shall expire upon the election of their successors.