

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

SENATE

NO. 6

In Senate, Jan. 8, 1919.

On motion by Sen. Deering of York taken from table and on further motion by same senator referred to committee on legal affairs and 500 copies ordered printed. Sent down for concurrence.

P. F. CRANE, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to incorporate the Peat Power Producing Company.

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

Section 1. Cyrus F. Stackpole of Lewiston, George C.
2 Webber of Auburn, Charles H. Maxcey, their associates,
3 successors and assigns, are hereby made a corporation by
4 the name of the Peat Power Producing Company, with all
5 the powers, rights and privileges, and subject to all the du-
6 ties and obligations conferred and imposed on corporations
7 by law, except as provided herein.

Sect. 2. The purposes of said corporation are to furnish
2 light, heat and power for domestic, municipal, manufactur-

3 ing and commercial purposes by the production of gas from
4 peat in any and all places in the State of Maine by the use
5 of the Peat Gas Producer.

Sect. 3. The said corporation is hereby authorized for the
2 purposes aforesaid to exercise the exclusive right within the
3 borders of the State of Maine to manufacture gas from peat
4 by the use of a gas machine for the purposes set forth in
5 section 2, and for said purposes to erect and maintain all
6 structures necessary or convenient for the proper accumulat-
7 ing, conducting, discharging, distributing and disposing of
8 said gas, and forming proper and sufficient reservoirs there-
9 of; to excavate, lay down, replace, repair, and maintain its
10 pipes and aqueducts through any lands, and to take and hold
11 by purchase or otherwise any lands, real estate or rights
12 necessary for the purposes of this incorporation; to lay its
13 pipes, and aqueducts and construct and maintain the same,
14 with all the necessary fixtures, in, upon, along, and under
15 the roads and streets of any and all towns and municipali-
16 ties in said state, under such reasonable restrictions as may
17 be imposed by the municipal officers thereof in accordance
18 with the general laws of the State.

Sect. 4. Said corporation shall be held liable to pay all
2 damages that may be sustained by any person taking any
3 land or other property by excavating through any land for
4 the purposes of laying down pipes, building reservoirs, or
5 the erection of any of its necessary structures, if any per-
6 son sustaining damages as aforesaid cannot agree with said

7 corporation upon the sum to be paid therefor his damages
8 shall be assessed in the same manner, and subject to the
9 same conditions, restrictions, limitations as is provided by
10 law in the case of damage by the laying out of highways.

Sect. 5. Said corporation shall have authority to enter
2 upon any land for the purpose of making surveys and loca-
3 tions, and shall file in the Registry of Deeds for the county
4 where said land is situated, plans of the said land and other
5 property which shall be taken, and when so filed, such lands
6 and other property shall be deemed and treated as taken;
7 with said plans said corporation may file a statement of the
8 damages it is willing to pay for any property so taken, and
9 if the amount finally awarded does not exceed that sum the
10 corporation shall recover costs against such party, other-
11 wise said party shall recover costs against said corporation.

Sect. 6. Said corporation at its own expense, without any
2 unnecessary delay, shall remove any and all obstructions in
3 any street or way made in excavating and laying its pipes,
4 and shall cause earth disturbed to be properly replaced. It
5 shall not be allowed to obstruct or impair the use of any pub-
6 lic or private sewer, drain or pipe, but may cross, or when
7 necessary, change the direction of any such sewer, drain or
8 pipe in such a manner as not to obstruct or impair the use
9 thereof, and shall be responsible to the owner or other per-
10 sons for any injury caused thereby.

Sect. 7. Said corporation is hereby authorized to make
2 contracts with said town, and with other corporations and
3 persons for the purpose of supplying gas as contemplated

4 by this act, and said town by its selectmen and other cor-
5 porations are hereby authorized to enter into contract with
6 said company for gas and for such exemptions from public
7 burden as said town and said company may agree upon,
8 which when made shall be legal and binding.

Sect. 8. The capital stock of this corporation shall be fifty
2 thousand dollars, divided into shares of fifty dollars each.

Sect. 9. Said corporation may issue its bonds upon such
2 rates and time as it may deem expedient and in such amount
3 as may be required for the object of this incorporation and
4 secure the same by mortgage upon the franchises and prop-
5 erty of said company.

Sect. 10. Said corporation for its said purposes may hold
2 real and personal property necessary and convenient there-
3 for.

Sect. 11. If any person shall wantonly and maliciously in-
2 jure any of the structures, reservoirs, pipes, or other prop-
3 erty, of the said company, he shall, on condition thereof,
4 be punished by a fine not exceeding one thousand dollars, or
5 by imprisonment not exceeding two years, or both, and shall
6 be liable to pay triple damages to said corporation to be re-
7 covered by an action before any court of competent jurisdic-
8 tion.

Sect. 12. The first meeting of said corporation may be
2 called by a written notice thereof, signed by any corporator
3 named therein and served upon each corporation by a copy
4 of the same in hand, or left at the last place of abode seven
5 days at least before the date of said meeting.