

MAINE STATE LEGISLATURE

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SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 146

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIVE.

AN ACT to incorporate the Peaks Island Gas Company.

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

Section 1. Albert W. Dyer, Charles A. Plummer and
2 Charles C. Douglass, their associates, successors and assigns,
3 are hereby constituted a body politic and corporate by the
4 name of the Peaks Island Gas Company, for the purpose of
5 making, generating, selling, distributing and supplying gas
6 for lighting, heating, manufacturing, or mechanical purposes
7 on Peaks Island in the city of Portland, with all the powers,
8 rights and privileges, and subject to all the duties and liabilities
9 of similar corporations organized under the general laws
10 of the State.

Sect. 2. Said corporation is hereby authorized and empow-
2 ered to carry on the business of lighting, by gas, streets and
3 ways upon said Peaks Island, and such buildings and places
4 thereon, public and private, as may be agreed upon by said

5 corporation and the owners or those having control of said
6 buildings and places to be lighted, and may furnish gas to
7 be used for heating, manufacturing or mechanical purposes
8 upon said Peaks Island, and may build and operate upon said
9 Peaks Island works for providing and supplying gas for any
10 of said purposes, and may lease, purchase and hold real and
11 personal estate necessary or convenient for the purposes of
12 said corporation, and may construct, lay, maintain, and oper-
13 ate lines of pipe for the transmission of gas underground,
14 over, under and along any and all streets or ways upon said
15 Peaks Island, under such reasonable restrictions as may be
16 imposed by the municipal officers of said city of Portland.

Sect. 3. Said corporation shall, for the purpose of laying
2 its pipes and distributing gas, have authority to take such
3 rights in real estate across private land as may be necessary.
4 A location of the property taken, giving a description thereof,
5 with the names of the owners, shall be filed with the county
6 commissioners for the county of Cumberland, a copy of which
7 location shall also be filed in the registry of deeds of said
8 county, and the damages shall be assessed for the property
9 so taken in the manner provided by statute for the assessment
10 of damages for property taken by railroads.

Sect. 4. Said corporation shall be liable in all cases to
2 repay the city of Portland all sums of money that said city
3 may be obliged to pay on any judgment recovered against
4 said city for damages occasioned by any obstruction, digging
5 up, or displacement of any way or street by said corporation,
6 together with counsel fees and expenses necessarily occa-
7 sioned in defending said city in actions therefor, provided,
8 however, that said corporation shall have notice of the com-
9 mencement of any and all suits for such damage, and said
10 corporation shall have the right to defend any such action at
11 its own expense.

Sect. 5. Said corporation shall not be allowed to obstruct
2 or impair the use of any public or private drain or sewer, but
3 may cross the same, being responsible to the owners or other
4 persons for any injury occasioned thereby in an action on the
5 case.

Sect. 6. Said corporation is hereby authorized to make
2 contracts with the city of Portland, and with any corporations
3 or individuals for the supply of gas for any purpose.

Sect. 7. The capital stock of said corporation shall be ten
2 thousand dollars, and shall be divided into shares of twenty-
3 five dollars each. The capital stock may be increased from
4 time to time in such manner and under such restrictions as
5 are provided for increasing the capital stock of corporations
6 under the general law.

Sect. 8. Said corporation is hereby authorized to issue its
2 bonds in such amount and on such time, and at such rate of
3 interest as it may from time to time determine, not exceeding
4 the amount of the capital stock subscribed for, in aid of the
5 purposes specified in this act, and to secure the same by mort-
6 gage or pledge of part or all of its property and franchises.
7 It is also hereby authorized to lease any part or all of its
8 property and franchises upon such terms as it may determine.

Sect. 9. The first meeting of said corporation may be called
2 by a written notice thereof signed by one corporator herein
3 named, served upon each corporator by giving him the same
4 in hand or by leaving the same at his last and usual place of
5 abode at least five days before the time of meeting.

Sect. 9. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, February 15, 1905.

Reported by Mr. BAXTER from Committee on Legal Affairs and
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*