

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# SEVENTY-SECOND LEGISLATURE

---

---

HOUSE.

No. 81

---

---

## STATE OF MAINE.

---

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

---

AN ACT to ratify and confirm the organization of the Penobscot  
Valley Gas Company and to give said company additional  
Powers.

---

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

Section 1. The organization of the Penobscot Valley Gas  
2 Company, a corporation organized under the general laws of  
3 the State of Maine and the certificate of organization of  
4 which corporation was filed in the office of the secretary of  
5 State on the thirtieth day of November, nineteen hundred  
6 and four, is hereby ratified and confirmed.

Sect. 2. The Penobscot Valley Gas Company shall have all  
2 the powers specified in its certificate of organization, and  
3 said company is hereby authorized to manufacture gas in the  
4 city of Old Town, town of Orono and town of Veazie, and  
5 to supply said city of Old Town, town of Orono and town

6 of Veazie and their inhabitants with gas for lighting, heating  
7 and power purposes, or to supply said city of Old Town,  
8 town of Orono and town of Veazie and their inhabitants with  
9 gas for the above named purposes from works in Old Town,  
10 Orono or Veazie, by means of a main to, into and through  
11 said city and towns, or to manufacture gas in the city of  
12 Bangor to be carried by a main to, into and through said city  
13 and towns, provided that no gas shall be sold or distributed  
14 in the city of Bangor.

Sect. 3. The said Penobscot Valley Gas Company shall not  
2 have power to erect, establish, maintain or continue any  
3 works for the manufacture of gas at any place within the  
4 limits of said city of Bangor, city of Old Town, town of  
5 Orono or town of Veazie, without the previous assent of the  
6 city councils or board of selectmen respectively of such cities  
7 and towns, and a specific assignment of the boundaries of  
8 such establishment, and such erection, establishment or con-  
9 tinuance without such previous consent shall be considered  
10 a nuisance and such company shall be liable for indictment  
11 therefor and to all the provisions at law applicable thereto.  
12 Nothing contained in this act shall be considered to avoid or  
13 diminish the liabilities of such company for any injury to  
14 private property by depreciating the value thereof or other-  
15 wise, and said company shall be liable therefor in an action  
16 on the case.

Sect. 4. The said company is hereby authorized to lay  
2 down, in and through the streets of said cities and towns and  
3 to take up, replace and repair all such pipes and fixtures as  
4 may be necessary for the purpose and object of manufactur-  
5 ing gas and supplying said cities and towns and their inhab-  
6 itants with gas for lighting, heating and power purposes,  
7 first having obtained consent of the city councils and board  
8 of selectmen respectively of such cities and towns therefor

9 and under such restrictions and regulations as such city  
10 councils and board of selectmen may see fit to prescribe, and  
11 any obstruction in any street of said cities or towns, or tak-  
12 ing up or displacement of any portion of said streets without  
13 such consent of the city councils and board of selectmen  
14 respectively, or contrary to restrictions or regulations that  
15 may be prescribed by them as aforesaid, shall be considered  
16 a nuisance. And said company shall be liable to indictment  
17 therefor and to all the provisions of law applicable thereto.

Sect. 5. Whenever the said company shall lay down any  
2 pipes or erect any fixtures in any street, or make any altera-  
3 tions or repairs upon their works in any street, they shall  
4 cause the same to be done with as little obstruction to the  
5 public travel as may be practicable, and shall, at their own  
6 expense and without unnecessary delay, cause the earth and  
7 pavements removed by them to be replaced in proper con-  
8 dition.

Sect. 6. Said company shall not be allowed in any case to  
2 obstruct or impair the use of any public or private drain or  
3 common sewer or reservoir, but said company shall have the  
4 right to cross, or where necessary, to change the direction of  
5 any private drains in such manner as not to obstruct or  
6 impair the use thereof, being liable for any injury occasioned  
7 by any such crossing or alteration to the owner thereof, or  
8 any other person in an action on the case.

Sect. 7. Said company is hereby authorized and empow-  
2 ered to issue its bonds or obligations upon such time and of  
3 such rates of interest as it may deem expedient in a sum not  
4 exceeding \$125,000, and to mortgage all its property of what-  
5 soever kind, and its franchises, to secure said bonds, pro-  
6 vided, however, that the franchises, rights and privileges  
7 granted to said company by this act shall be null and void  
8 and forfeited unless said company shall actually have begun

9 to supply said cities or towns with gas for either lighting,  
10 heating or power purposes within five years from the time  
11 when this act shall take effect.

Sect. 8. This act shall take effect when approved.

---

## STATE OF MAINE.

---

HOUSE OF REPRESENTATIVES,  
Augusta, February 8, 1905.

Reported by Mr. POWERS from Committee on Judiciary and report  
tabled, pending acceptance and bill ordered printed, on motion of Mr.  
OAKES of Milford.

E. M. THOMPSON, *Clerk.*