

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE & SON, PRINTERS TO THE STATE.
1887.

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SIXTY-FOURTH LEGISLATURE

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1889.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

promotion of education, literature, the arts and sciences, religion and morality. CHAP. 408

SECT. 2. Said corporation is hereby vested with all the rights, privileges and immunities incident to similar corporations; may have and use a common seal, prosecute and defend suits at law, make and establish by-laws and regulations for the management of its affairs and the proper government of said college, and of those in any way connected therewith not repugnant to the laws of the state, and hold estate, real and personal, that it may hereafter receive by gift, grant, devise, purchase or otherwise, to an amount not exceeding two hundred thousand dollars.

SECT. 3. Either of the persons named in the first section of this act may call the first meeting of the said trustees, by giving each of the other persons named, at least ten days written notice of the time and place of said meeting.

SECT. 4. This act shall take effect when approved.

Approved February 19, 1889.

Chapter 408.

An act to make valid the election of officers of the North Pittston Cemetery Society, in the town of Pittston.

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

SECT. 1. All acts of the members of the North Pittston Cemetery Society, so far as relates to the election of officers in the year eighteen hundred and eighty eight, are hereby made legal and valid.

SECT. 2. This act shall take effect when approved.

Approved February 19, 1889.

Chapter 409.

An Act to incorporate the Camden and Rockport Street Railroad Company.

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

SECT. 1. Herbert L. Shepherd, William G. Alden, Samuel D. Carleton, Henry L. Alden, Samuel E. Shepherd,

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Philander J. Carleton, D. H. Bisbee, E. A. Morrill, George Follansbee, William A. Merriam, Johnson Knight and Gershom L. Burgess, all of Camden, in the county of Knox and state of Maine, their associates, successors and assigns, are hereby constituted a corporation by the name of Camden and Rockport Street Railroad Company, with authority to construct, maintain and use, a street railroad to be operated by horse power or electricity, with convenient single or double tracks, side tracks, switches, or turnouts, with any necessary or convenient lines of poles, wire appliances, appurtenances and conduits, from and to such points in said town of Camden, upon and over such streets and ways therein as shall from time to time be fixed and determined by the municipal officers of said town of Camden and assented to in writing by said corporation, and also shall have authority to construct, maintain, and use said railroad, over and upon any lands where the land damages have been mutually settled by said corporation and the owners thereof; provided, however, that all tracks of said railroad shall be laid at such distances from the sidewalks of said town, as the municipal officers thereof shall in their order fixing the routes of said railroad, determine to be for public safety and convenience. The written assent of said corporation to any vote of the municipal officers of said town, prescribing from time to time the routes of said railroad, shall be filed with the clerk of said town, and shall be taken and deemed to be the location thereof. Said corporation shall have power from time to time to fix such rates of compensation for transporting persons or property, as it may think expedient, and generally shall have all the powers, and be subject to all the liabilities of corporations, as set forth in the forty sixth chapter of the Revised Statutes.

Corporate name.
 —authorized to construct a railroad.

—route, etc., shall be determined by municipal officers.

—assent to route shall be filed with town clerk.

Authorized to fix rates.

Rate of speed, removal of snow and ice, shall be regulated by municipal officers.

Shall keep streets in repair.

SECT. 2. The municipal officers of said town shall have power at all times, to make all regulations as to the rate of speed and removal of snow and ice from the streets, roads and ways by said company, at its expense, and mode of use of the tracks of said railroad within said town, as public convenience and safety may require.

SECT. 3. Said corporation shall keep and maintain in repair such portions of the streets and ways as shall be occupied by the tracks of its railroad, and shall make all other repairs of said streets, roads and ways, which in the opinion of the

municipal officers of said town may be rendered necessary by the occupation of the same by said railroad, and if not repaired upon reasonable notice, such repairs may be made by said town, at the expense of said corporation.

SECT. 4. If any person shall wilfully and maliciously obstruct said corporation in the use of its roads or tracks or the passing of the cars or carriages of said corporation thereon, such person and all who shall aid and abet therein, shall be punished by a fine not exceeding two hundred dollars or may be imprisoned in the county jail for a period not exceeding sixty days.

Penalty for obstructing corporation.

SECT. 5. The capital stock of said corporation shall not exceed one hundred thousand dollars to be divided into shares of one hundred dollars each.

Capital stock.

SECT. 6. Said corporation shall have the power to lease, purchase or hold such real or personal estate as may be necessary and convenient for the purposes and management of said railroad.

May hold real estate.

SECT. 7. Said railroad shall be constructed and maintained in such form and manner and with such railroads, and upon such grade as the municipal officers of said town directs and whenever in the judgment of the said corporation, it shall be necessary to alter the grade of any street or way, said alterations may be made at the sole expense of said corporation, provided, the same shall be assented to by the municipal officers of said town; but said corporation shall not be liable to any abutting land owners for any such alteration of grade. If the tracks of said corporation's railroad cross any other railroad at any time, and a dispute arises in any way in regard to the manner of crossing, the board of railroad commissioners of this state shall upon hearing decide and determine in writing in what manner the crossing shall be made, and it shall be constructed accordingly.

Construction and grade shall be under direction of municipal officers.

Crossings shall be determined by railroad commissioners.

SECT. 8. Said corporation may change the location of said railroad at any time by first obtaining the written consent of said municipal officers, and to make additional locations subject to the foregoing provisions and conditions.

May change location by consent of municipal officers.

SECT. 9. Nothing in this act shall be construed to prevent the proper authorities of said town from entering upon and taking up any of the streets or ways occupied by said railroad, for any purpose for which they may lawfully take up the same.

Municipal authorities shall retain control of streets.

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Exclusive right granted.

SECT. 10. No other corporation or person shall be permitted to construct or maintain any railroad for similar purposes over the same streets or ways that may be lawfully occupied by this corporation, but any person or corporation lawfully operating any horse railroad to any point to which this corporation's tracks extend, may enter upon, connect with and use the same on such terms and in such manner as may be agreed upon between the parties or if they shall not agree, to be determined by the railroad commissioners of the state of Maine.

Not deemed a railroad.

SECT. 11. Said railroad shall not be taken or deemed to be a railroad within the meaning of that term as used in the public laws of this state, but shall have all the rights and be subject to all the liabilities of horse railroads within the state.

May issue bonds, and mortgage property.

SECT. 12. Said corporation is hereby authorized to issue bonds in such amount and on such time as may be from time to time determined, in aid of the purposes specified in this act, and to secure the same by a mortgage of its franchises and property. It is also hereby authorized to lease all of its property and franchises upon such terms as it may determine.

Limitation.

SECT. 13. The provisions of this act shall not be held to apply to so much of the town of Camden as lies south of the intersection of Camden street with the old county road, at or near the Clam Cove school house, so called, in said town.

First meeting, how called.

SECT. 14. The first meeting of said corporation shall be called in the manner provided in the Revised Statutes, chapter forty-six, section three.

SECT. 15. This act shall take effect when approved.

Approved February 19, 1889.

Chapter 410.

An Act to authorize the Dexter and Piscataquis Railroad Company to lease its railroad.

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

Lease of D. & P. railroad, authorized.

SECT. 1. The Dexter and Piscataquis Railroad Company is hereby authorized to lease its railroad on such terms as may be agreed upon by its directors and approved by a vote of its stockholders, and any railroad corporation in this state may take a lease of said railroad: and any lease of said railroad

—former lease ratified.