

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.

ACTS AND RESOLVES

OF THE

SIXTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1889.

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

AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1889.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

Chapter 495.

An Act to incorporate the Oldtown Street Railway Company.

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

SECT. 1. Joseph L. Smith, James Weymouth, F. O. Beal, Albert O. Brown, James W. Sewall, William F. Pearson and William Engel, and their associates and successors, are hereby constituted a corporation by the name of the Oldtown Street Railway Company, with authority to construct, maintain and use a street railway to be operated by electricity or animal power, with convenient single or double tracks, switches or turnouts, with any necessary or convenient lines of poles, wire appliances, and appurtenances, and conduits, from such points in said town of Oldtown, upon and over such streets therein, as shall from time to time be fixed and determined by the municipal officers of the said town of Oldtown, and assented to in writing by said corporation to Upper Stillwater village and to West Greatworks village, except said company shall not locate upon or occupy the road bed and location of the Bangor, Oldtown and Milford Railroad, so called ; said corporation shall also 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 the tracks of said railroad shall be laid at such distances from the sidewalks of said town, as the municipal officers of said town, shall in their order fixing the route of said railroad, determine to be for public safety and convenience. The written assent of said corporation to any vote or votes 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 locations 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.

Corporators.

Corporate name.

--authorized to construct a railway.

--route.

--may take lands.

--may lay tracks, under direction of municipal officers.

--assent of corporation to votes of town, shall be filed with town clerk.

--may fix rates.

SECT. 2. The municipal officers of said town shall have power at all times, to make all such regulations as to the rate of speed and removal of snow and ice from the streets, roads

Municipal officers, shall have power to regulate rate of speed, and

CHAP. 495removal of snow
and ice.

and highways, by said company at its expense, and mode of use of the tracks of said railroad within said town, as the public convenience and safety may require.

Directors.

SECT. 3. All acts required by this act to be done by said corporation, may be delegated by said corporation to its board of directors.

Corporation,
shall keep in
repair, streets
occupied by it.

SECT. 4. Said corporation shall keep and maintain in repair, such portions of the streets, towns or county roads, as shall be occupied by the tracks of its railroad, and shall make all other repairs of said streets or roads, 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 city or towns, respectively, at the expense of said corporation.

Penalty for
obstructing
corporation.

SECT. 5. If any person shall wilfully and maliciously obstruct said corporation in the use of its road or tracks, or the passing of the cars or carriages of said corporation thereon, such persons 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.

Capital stock.

SECT. 6. The capital stock of said corporation shall not exceed one hundred thousand dollars, to be divided into shares of fifty dollars each.

May hold real
estate.

SECT. 7. 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.

Construction
and grade, shall
be under
direction of
municipal
officers.

SECT. 8. Said railroad shall be constructed and maintained in such form and manner, and with such rails, and upon such grade as the municipal officers of said town may direct, and whenever in the judgment of said corporation, it shall be necessary to alter the grade of any street, town or county road, 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 alteration of grade. If the tracks of said corporation's railroad, cross any other railroad of any kind, in said city, or in either of said towns, and a dispute arises in any way in regard to the manner of crossing, the board of railroad commissioners

Manner of cross-
ing other roads,
shall be deter-
mined by
railroad com-
missioners.

of the state, shall, upon hearing, decide and determine in writing, in what manner the crossing shall be made and it shall be constructed accordingly.

SECT. 9. Said corporation may change the location of said railroad, at any time, by first obtaining the written consent of the municipal officers of said town, and to make additional locations subject to the foregoing provisions and conditions.

Location may be changed by consent of municipal officers.

SECT. 10. 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, town and county roads, occupied by said railroad, for any purpose for which they may now lawfully take up the same.

Control of streets, shall remain with town.

SECT. 11. No other corporation or person shall be permitted to construct or maintain any railroad, for similar purposes over the same streets, roads 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.

Exclusive right granted corporation.

—existing horse railroad, may connect with.

SECT. 12. Said road 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 this state.

Shall not be deemed a railroad.

SECT. 13. Said corporation is hereby authorized to issue bonds in such amount and on such time as it may from time to time determine, 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.

May issue bonds, and mortgage property.

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

First meeting, how called.

SECT. 15. Said corporation shall not be required to run cars upon their road during the winter season, nor when the convenience and wants of the public do not require it; and said corporation is permitted to run at its pleasure, omnibuses instead of rail cars.

Shall not be required to run cars during winter season.

SECT. 16. This act shall take effect when approved.

Approved March 2, 1889.

Chapter 496.

An Act to incorporate the Auburn Trust Company.

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

SECT. 1. George C. Wing, Ara Cushman, Oscar Holway, Seth M. Carter, Marshall C. Percival and Samuel F. Merrill, or such of them as may by vote accept this charter, with their associates, successors and assigns, are hereby made a body corporate and politic, to be known as the Auburn Trust Company, and as such shall be possessed of all the powers, privileges and immunities, and subject to all the duties and obligations conferred on corporations by law, except as otherwise provided herein.

Corporator

Corporate name.

—location

SECT. 2. The corporation hereby created shall be located at Auburn, Androscoggin county, Maine.

—purposes

SECT. 3. The purposes of said corporation and the business which it may perform, are, first, to receive on deposit, money, coin, bank notes, evidences of debt, accounts of individuals, companies, corporations, municipalities and states, allowing interest thereon, if agreed, or as the by-laws of said corporation may provide; second, to borrow money; to loan money on credits or real estate or personal security, and to negotiate loans and sales for others; to guarantee the payment of the principal and interest of all obligations secured by mortgages of real estate running to said Auburn Trust Company; to issue its own bonds or obligations based upon real or personal property conveyed to it in trust, to secure the payment of such bonds or obligations and the interest thereon; third, to hold for safe keeping all kinds of personal or mixed property, and to act as agents for the owners thereof, and of real estate for the collection of income on the same, and for sale of the same; and to act as agent for issuing, registering and countersigning certificates, bonds, stocks, and all evidences of debt or ownership in property; fourth, to hold by grant, assignment, transfer, devise or bequest, any real or personal property or trusts duly created,