

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)

ACTS AND RESOLVES

OF THE

SIXTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE

1899.

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

AUGUSTA
KENNEBEC JOURNAL PRINT
1899.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1899.

Chapter 117.

Act to amend Sections three and six of Chapter fifty-one of the Revised Statutes, relating to the Organization of Railroad Companies under General Law.

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

Section 3,
chapter 51,
R. S.,
amended.

Section 1. The first eight lines of section three of chapter fifty-one of the revised statutes, is hereby amended by striking out all of the first sentence of said section, and inserting the following: 'Said directors shall present to the board of railroad commissioners a petition for approval of said articles of association, accompanied with a map of the proposed route on an appropriate scale. The board of railroad commissioners shall, on presentation of such petition appoint a day for a hearing thereon, and the petitioners shall give such notice thereof as said board deems reasonable and proper, in order that all persons interested may have an opportunity to appear and be heard thereon. If the board of railroad commissioners, after notice and hearing the parties, finds that all the provisions of sections one and two have been complied with, and that public convenience requires the construction of such railroad, said board shall endorse upon said articles a certificate of such facts and the approval of the board in writing.' So that said section, as amended, shall read as follows:

Approval of
articles by
railroad
commis-
sioners.

'Section 3. Said directors shall present to the board of railroad commissioners a petition for approval of said articles of association, accompanied with a map of the proposed route on an appropriate scale. The board of railroad commissioners shall, on presentation of such petition appoint a day for a hearing thereon, and the petitioners shall give such notice thereof as said board deems reasonable and proper, in order that all persons interested may have an opportunity to appear and be heard thereon. If the board of railroad commissioners, after notice and hearing the parties, finds that all the provisions of sections one and two have been complied with, and that public convenience requires the construction of such railroad, said board shall endorse upon said articles a certificate of such facts and the approval of the board in writing. The secretary of state shall, upon payment of twenty dollars to the state, cause the same with the endorsement thereon, to be recorded, and shall issue a certificate in the following form:

—when re-
corded, sec-
retary of
state shall
issue a
certificate.

'STATE OF MAINE.

Form of
certificate.

Be it known that, whereas', (here the names of the subscribers to the articles of association should be inserted) 'have

associated themselves together with the intention of forming a corporation under the name of' (here insert the name of the corporation) 'for the purpose of building and operating a road between' (here insert the description of the road contained in the articles of association) 'and have complied with the statutes of the state in such cases made and provided. Now, therefore, I', (here insert the name of the secretary) 'secretary of the state of Maine, hereby certify that said' (names of subscribers), 'their associates and successors, are legally organized and established as an existing corporation under the name of' (name of corporation) 'with the powers, rights and privileges, and subject to the limitations, duties and restrictions, which by law appertain thereto. Witness my official signature hereunto subscribed, and the seal of the state of Maine hereunto affixed, this—day of—, A. D., (day month and year inserted.)

The secretary of state shall sign the same and cause the seal of the state to be thereto affixed, and such certificate shall be conclusive evidence of the organization and establishment of such corporation at the date thereof. The secretary shall also cause a record of such certificate to be made, and a certified copy of such record may with like effect as the original certificate be given in evidence to prove the existence of such a corporation.

—to be evidence of the establishment of corporation.

—to be recorded.

Section 2. Section six of chapter fifty-one is hereby amended as follows: By striking out the word "map" in the fourth line and inserting the word 'plan' and by striking out the word "route" in the fifth line and inserting the word 'line' and by inserting in the fifth line after the word "scale" the words 'defining its courses, distances and boundaries' and by striking out in the fifteenth and sixteenth lines the following words "and finds that public convenience requires the construction of such road" so that said section, as amended, shall read as follows:

Section 6, amended.

'Section 6. Every corporation organized under the foregoing provisions, before commencing the construction of its road, shall present to the board of railroad commissioners a petition for approval of location, defining its courses, distances and boundaries accompanied with the map first presented, and with a profile of the line on the relative scales of profile paper in common use, and with a report and estimate prepared by a skillful engineer from actual survey. The board of railroad commissioners shall, on presentation of such petition, appoint a day for a hearing thereon, and the petitioners shall give such notice thereof as said board deems reasonable and proper, in order that all persons interested may have an opportunity to appear and object thereto. If the board of railroad commissioners, after hearing the petition, approves the proposed location, the

Petition for approval of location.

—hearing on notice to be given.

—when corporation may pro-

CHAP. 118

ceed with
construction
of road.

—proviso.

—location
not to vary,
except to
avoid ex-
pense.

—to be
filed within
two years.

—not to
cross nav-
igable rivers,
without con-
sent of
legislature.

corporation may proceed with the construction thereof; provided, that they first file with the clerk of the court of county commissioners of each county through which the road passes, a plan of the location of the road, defining its courses, distances and boundaries, and another copy of the same with the board of railroad commissioners; but the location so filed shall not vary, except to avoid expense of construction, from the route first presented to said board of commissioners, unless said variation is approved by them. And said location, together with any variation made therein, shall be filed within two years from the time when the articles of association are filed in the office of secretary of state. Provided, further, that no railroad shall be made across tide waters where vessels can navigate, without special permission of the legislature first obtained.'

Approved March 17, 1899.

Chapter 118.

An Act to amend Paragraph two of Section fifty-nine of Chapter three of the Revised Statutes, relating to Town, Village and City by-laws and ordinances.

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

Paragraph 2,
section 59,
chapter 3,
R. S.,
amended.

Paragraph two of section fifty-nine of chapter three of the revised statutes is hereby amended by adding to said paragraph the following words: 'And to regulate the use and the manner of the use of bicycles in the streets in the night time,' so that said paragraph, as amended, shall read as follows:

Establishing
police reg-
ulations.

'II. For establishing police regulations, for the prevention of crime, protection of property, and preservation of good order, and to regulate the use and manner of the use of bicycles in the streets in the night time.'

Approved March 17, 1899.