

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

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the terms and conditions under which said railroad may cross said bridge as reconstructed. All railroad tracks crossing the county way which forms the approach to said Portland bridge are hereby declared to be legal, and such approach and all public ways extending from York street to said Portland bridge shall be and the same are hereby declared to be discontinued when and as soon as said bridge is built and opened to travel. The overhead bridge extending from the foot of Clark street to said Portland bridge shall be removed at the expense of the city of Portland when and as soon as the same can conveniently be done after said Portland bridge is rebuilt.

—tracks crossing county way, legal.

—removal of overhead bridge.

Section 5. The county of Cumberland is hereby vested with all the authority and powers necessary to carry out the provisions of this act.

County vested with all necessary powers.

Approved April 2, 1909.

Chapter 405.

An Act to amend the charter of the Augusta Water District.

Be it enacted by the People of the State of Maine, as follows:

The Augusta Water District is hereby authorized to supply water to the city of Hallowell or to the State Industrial School for Girls, or both, with the consent of the city of Hallowell. All necessary rights and privileges are hereby granted.

Authorized to supply water to Hallowell or Industrial School.

Approved April 2, 1909.

Chapter 406.

An Act to incorporate the Steuben Railway Company.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Leopold Zimmermann, Charles Sternheim, Leopold Ederheimer, Frank Nelson, George M. Hanson and Ashley Saint Clair, their associates and successors are constituted a corporation under the name of the Steuben Railway Company, for the purpose of building, constructing, maintaining and operating by electrical, or other power, a railway for passenger and freight transportation, with such single or double tracks, side tracks, switches, turnouts, stations and appurtenances, and with such poles, wires, appliances and appurtenances as may seem advisable and desirable to said company, from any point in township number ten, in Hancock county, through township number seven in Hancock county, and the towns of Cherry-

Corporators.

—corporate name.

—purposes.

—route defined.

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—may cross rivers and tide waters.

—may lay tracks with consent of municipal officers.

—may cross tide waters, navigable and fresh water streams, etc., but shall not unnecessarily obstruct navigation.

Gauge shall not exceed 5 feet.

—may fix rates of traffic.

May occupy lands for track, turnouts, stations, etc.

—may make surveys, and shall file plans of locations and lands in registry of deeds.

Proceedings for determining damages.

field and Steuben, in the county of Washington, to tide water in the town of Steuben as may seem to said company desirable, together with the right to cross the rivers and tide waters within the limits of said towns, upon bridges of said company, erected therefor, and also with the right to lay their said tracks within the limits of said towns of Cherryfield and Steuben, as may be assented to in writing by the municipal officers of said towns at any meeting thereof upon petition of said company, and together, also, with the right to cross tide waters and navigable and fresh water streams within the limits of any of said towns mentioned, upon existing bridges or upon bridges of said company, erected therefor, provided, however, that said railway company shall not unnecessarily obstruct navigation, and that the manner and conditions of its so crossing said rivers, tide waters, navigable waters or fresh water streams or rivers, upon any bridges, and of its erecting and maintaining any bridges of its own, shall first be determined by the municipal officers of the towns within the limits of which said bridges shall be so erected, maintained or used.

Section 2. Said railway shall be of a gauge not to exceed five feet, and the land occupied by said company for its main track line, exclusive of turnouts, switches, side tracks, stations or appurtenances, shall nowhere exceed four rods in width. Said company shall have power, from time to time, to fix such rates of compensation for transportation of passengers or freight as it may think expedient, and in general, shall have and enjoy all the powers and privileges incident to or usually granted to similar corporations.

Section 3. Said company shall further have power to occupy any lands reasonably necessary for its tracks, switches, turnouts, stations, appurtenances or appliances, and to excavate or construct in, through or over such lands to carry out its purposes. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds in the county of Washington and Hancock county, plans of such locations and land, and within thirty days thereafter, publish notice thereof in some newspaper in said counties, such publication to be continued for three weeks successively.

Section 4. For the purpose of determining the damages to be paid for such location, occupation and construction, the land owner of said railway company, may within three years after the filing of plans of location apply to the commissioners of said county of Washington, and Hancock county as the case may be, and to have such damages assessed as is provided by law in cases wherein land is taken for railroads, so far as the same

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is consistent with the provisions of this charter, and where inconsistent, or at variance with this charter, the charter shall control. If the railway company shall fail to pay such land owner, or to deposit for his use with the clerk of the county commissioners such sum as may be finally awarded as damages, with costs, within ninety days after final judgment, the said location shall be thereby invalid, and the company forfeit all right under the same. If such land owner secures more damages than were tendered by said company, he shall recover costs, otherwise the company shall recover costs. In case the said company shall begin to occupy such land before the rendition of final judgment, the land owner may require said company to file its bond to him with the county commissioners, in such sum and with such sureties as they approve, conditioned for said payment or deposit. Failure to apply for damages within said three years by the land owner shall be held to be a waiver of the same. No action shall be brought against said railway company for such taking and occupation of land until after such failure to pay or deposit as aforesaid.

—when location shall be invalid and all rights forfeited.

—land owners may require company to file bond.

Section 5. The capital stock of said company shall be fixed at the first meeting of said company, with the right to increase up to two hundred thousand dollars, and shall be divided into shares of one hundred dollars each.

Capital stock.

Section 6. Said company for all its said purposes may hold real and personal estate sufficient, necessary and convenient therefor.

May hold real and personal estate.

Section 7. Said company may issue its bonds for the construction of its works, maintenance or operation of the same of any or all kinds, upon such rates and terms as it may deem expedient, not exceeding the sum of twenty-five thousand dollars per mile, and not exceeding in total amount the amount of capital stock of said company at the time of the issuance of said bonds, and to secure the same by mortgage of any property and franchise of the said company.

May issue bonds and mortgage property.

Section 8. The municipal officers of said town shall have power at all times to make all such regulations as to rates of speed, removal of snow and ice, keeping in repair that portion of street between the rails, and adjacent to them outside, and the mode of use of the tracks of said company, within street limits of any of said towns, as the public safety and convenience may require.

Municipal officers may regulate rates of speed, and removal of snow and ice, etc.

Section 9. The first meeting of said company shall be called by a written notice signed by any one corporator above named, stating the time and place of meeting, served upon the other corporators above named, either personally or by leaving the

First meeting, how called.

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same at the last and usual place of abode of each, at least seven days before the time of such meeting, or said first meeting may be called by a written notice signed by any one incorporator, above named, stating the time and place of meeting, published in the Machias Union, a newspaper published at Machias, in said county of Washington, and in the Ellsworth American, a newspaper published in Ellsworth, in said county of Hancock, at least fourteen days before the time of such meeting. In either case, the certificate of the signer of the notice shall be sufficient proof as to the service or publication of the notice.

May build
and operate
a branch
line.

Section 10. The said Steuben Railway Company is hereby granted the further right to build, equip, maintain and operate a branch of its line, with the same privileges, and subject to the restrictions conferred upon it in the preceding sections, from any point of its line or tracks within the town of Steuben to any point within the limits of the town of Milbridge or to any point within the limits of any of the towns above mentioned in this act.

Approved April 2, 1909.

Chapter 407.

An Act to incorporate the Fire Insurance Company of Portland, Maine.
Be it enacted by the People of the State of Maine, as follows:

Corpora-
tors.

Section 1. Frederic E. Boothby, Morrill N. Drew, Percival P. Baxter, James A. Broe, Thomas H. Flaherty, John B. Kehoe, Ralph H. Jordan, Cornelius A. Mannix, Wilbur C. Whelden, Edward Duddey of the city of Portland, Charles Cheltra, Henry M. Hartleb both of Bath, Wilbur E. Frank of Bangor, Jefferson M. Swett of Eastport, Frank P. Pennell of Skowhegan, Herbert L. Shepherd of Rockport, Henry A. Furbish of Rangeley, and George M. Stanwood of South Portland, Maine, their associates, successors and assigns are hereby made a body corporate by the name of the Fire Insurance Company of Portland, Maine, and by that name may sue and be sued; may have a common seal, establish by-laws and regulations for the management of its affairs not repugnant to this charter and the laws of this state; and may purchase, hold and convey all such property, real and personal, as may be deemed necessary for the use or accommodation of the business of the company, and generally do and perform any and all legal acts incident to similar corporations.

—corpor-
ate name.

—may have
a seal and
establish
by-laws.