

MAINE STATE LEGISLATURE

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Sixty-Fourth Legislature.

SENATE.

No. 48.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-NINE.

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:*

SECTION 1. Herbert L. Shepherd, William G.
2 Alden, Samuel D. Carlton, Henry L. Alden, Samuel
3 E. Shepherd, Philander J. Carlton, D. H. Bisbee,
4 E. A. Morrill, George Follansbee, William A.
5 Merriam, Johnson Knight and Gersham L. Bur-
6 gess, all of Camden in the county of Knox, and
7 State of Maine, their associates, successors and
8 assigns, are hereby constituted a corporation by
9 the name of Camden and Rockport Street Railroad
10 Company, with authority to construct, maintain

11 and use, a street railroad to be operated by horse
12 power or electricity, with convenient single or
13 double tracks, side tracks, switches, or turnouts,
14 with any necessary or convenient lines of poles, wire
15 appliances, appurtenances and conduits, from and
16 to such points in said town of Camden, upon and
17 over such streets and ways therein as shall, from
18 time to time, be fixed and determined by the
19 municipal officers of said town of Camden and
20 assented to in writing by said corporation, and also
21 shall have authority to construct, maintain and use
22 said railroad over and upon any lands where the
23 land damages have been mutually settled by said
24 corporation and the owners thereof; *provided,*
25 *however,* that all tracks of said railroad shall be
26 laid at such distances from the sidewalks of said
27 town, as the municipal officers thereof shall in
28 their order fixing the routes of said railroad deter-
29 mine to be for public safety and convenience. The
30 written assent of said corporation to any vote of
31 the municipal officers of said town, prescribing,
32 from time to time, the routes of said railroad, shall
33 be filed with the clerk of said town, and shall be
34 taken and deemed to be the location thereof. Said
35 corporation shall have power, from time to time, to

36 fix such rates of compensation for transporting
37 persons or property, as it may think expedient,
38 and generally shall have all the powers, and be
39 subject to all the liabilities of corporations, as set
40 forth in the forty-sixth chapter of the Revised
41 Statutes.

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

SECT. 3. Said corporation shall keep and main-
2 tain in repair such portions of the streets and
3 ways as shall be occupied by the tracks of its rail-
4 road, and shall make all other repairs of said
5 streets, roads, and ways, which in the opinion of
6 the municipal officers of said town may be rendered
7 necessary by the occupation of the same by said
8 railroad, and if not repaired upon reasonable notice,
9 such repairs may be made by said town, at the
10 expense of said corporation.

SECT. 4. If any person shall wilfully and malici-
2 ously obstruct said corporation in the use of its

3 roads or tracks or the passing of the cars or car-
4 riages of said corporation thereon, such person and
5 all who shall aid and abet therein, shall be punished
6 by a fine not exceeding two hundred dollars or may
7 be imprisoned in the county jail for a period not
8 exceeding sixty days.

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

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

SECT. 7. Said railroad shall be constructed and
2 maintained in such form and manner and with such
3 railroads, and upon such grade as the municipal
4 officers of said town directs and whenever in the
5 judgment of the said corporation, it shall be neces-
6 sary to alter the grade of any street or way, said
7 alterations may be made at the sole expense of said
8 corporation, provided the same shall be assented to
9 by the municipal officers of said town; but said
10 corporation shall not be liable to any abutting land
11 owners for any such alteration of grade. If the
12 tracks of said corporation's railroad cross any other
13 railroad at any time, and a dispute arises in any

14 way in regard to the manner of crossing the board
15 of railroad commissioners of this State shall upon
16 hearing, decide and determine in writing in what
17 manner the crossing shall be made, and it shall be
18 constructed accordingly.

SECT. 8. Said corporation may change the loca-
2 tion of said railroad at any time by first obtaining
3 the written consent of said municipal officers and to
4 make additional locations subject to the foregoing
5 provisions and conditions.

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

SECT. 10. No other corporation or person shall
2 be permitted to construct or maintain any railroad
3 for similar purposes over the same streets or ways
4 that may be lawfully occupied by this corporation,
5 but any person or corporation lawfully operating
6 any horse railroad to any point to which this cor-
7 poration's tracks extend, may enter upon, connect
8 with and use the same on such terms and in such
9 manner as may be agreed upon between the par-
10 ties or if they shall not agree, to be determined by

11 the railroad commissioners of the State of Maine.

SECT. 11. Said railroad shall not be taken or
2 deemed to be a railroad within the meaning of that
3 term as used in the public laws of this State but
4 shall have all the rights and be subject to all the lia-
5 bilities of horse railroads within the State.

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

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

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

SECT. 15. This act shall take effect when ap-
2 proved.

STATE OF MAINE.

IN SENATE. January 31. 1889.

Presented by Mr. BURGESS of Knox. and, on his motion, pending reference to Committee on Railroads, Telegraphs and Expresses; laid on table to be printed,

C. W. TILDEN, *Secretary.*