

MAINE STATE LEGISLATURE

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Sixty-Fifth Legislature.

HOUSE.

No. 232.

STATE OF MAINE.

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

AN ACT to incorporate the Waldo Street Railway Company.

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

SECTION 1. C. B. Hezeltine, J. G. Brooks, A. A.
2 Howes, William B. Swan, J. H. Quimby, Nathan F.
3 Houston, Charles Baker and J. H. Howes of Belfast, in
4 the county of Waldo, Samuel E. Shepherd and Herbert
5 L. Shepherd of Rockport, and E. K. O'Brien of Thomas-
6 ton, in the county of Knox and State of Maine, their asso-
7 ciates, successors and assigns, are hereby constituted a
8 corporation by the name of "Waldo Street Railway Com-
9 pany," with authority to construct, maintain and use, a
10 street railroad to be operated by electric or animal power
11 with convenient single or double tracks, side-tracks,

12 switches and turnouts, with any necessary or convenient
13 lines of poles, wire appliances, appurtenances and con-
14 duits, from and to such points in the town of Stockton
15 Springs, through the town of Searsport, the city of Bel-
16 fast and the towns of Northport and Lincolnville, to the
17 line between the towns of Camden and Lincolnville, upon
18 and over such streets in the said towns and city as shall
19 from time to time be fixed and determined by the municipal
20 officers of the said several towns and city aforesaid and
21 assented to, in writing, by said corporation; and also
22 shall have authority to construct, maintain and use said
23 railroad, over and upon any land of private owners where
24 consent is obtained and damages paid or released; pro-
25 vided, however, that all tracks of said railway shall be
26 laid at such distances from the sidewalks of said towns
27 and city, as the municipal officers thereof shall in their
28 orders fixing the routes of said railway, determine to be
29 for public safety and convenience. The written assent of
30 said corporation to any vote or votes of the municipal
31 officers of said towns and city, prescribing from time to
32 time the routes of said railway, shall be filed with the
33 clerks of the several said towns and city, and shall be
34 taken and deemed to be the location thereof, which shall
35 not afterwards be changed except by the mutual consent
36 of the municipal officers of said city and towns and
37 the corporation. Said corporation shall have power from
38 time to time to fix such rates of compensation for trans-
39 portation of persons and property as it may think exped-
40 ient; to issue bonds and secure the same by mortgage of
41 its franchise and property; also it is authorized to lease
42 all of its property and franchises upon such terms as it

43 may determine, and in general shall have all the powers,
44 and be subject to all the liabilities of corporations, as set
45 forth in the forty-sixth chapter of the Revised Statutes;
46 the rights of said corporation in laying its rails and main-
47 taining its road, shall be no more than are, or may be
48 granted by the municipal officers of said city and towns;
49 and in the matter of keeping in repair that portion of
50 the roads between the rails and adjacent to them outside,
51 the corporation shall be limited and bound by the restric-
52 tions and conditions imposed by the said city and towns
53 at the time of granting the licenses. Said corporation
54 shall at all times maintain a suitable conveyance for pas-
55 sengers at reasonable hours, and when not expedient to
56 operate said road by electricity its cars shall be propelled
57 by animal power.

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

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

SECT. 4. Nothing in this act shall be construed to pre-
2 vent the proper authorities of said city and towns from
3 entering upon and taking up any of the streets occupied
4 by said railway for any purpose, for which they might now
5 lawfully take up the same.

SECT. 5. If any person shall wilfully and maliciously
2 obstruct said corporation in the use of its road or tracks,
3 or the passing of the cars or carriages of said corporation
4 thereon, such person and any person who shall aid and abet

5 them shall be punished by a fine not exceeding two hundred
6 dollars, or may be imprisoned in the county jail for a period
7 not exceeding sixty days.

SECT. 6. The said city and towns shall have power at
2 all times to make such regulations as to rate of speed, and
3 removal of ice and snow from the streets, roads and high-
4 ways by said company, at its expense, and mode of use of
5 tracks of said railway, within said city and towns, as public
6 convenience and safety may require.

SECT. 7 Said railway shall be constructed and main-
2 tained in such form and manner, and with such rails, and
3 upon such grade, as the municipal officers of the said city
4 and towns shall prescribe and direct; and any grade may
5 be changed from time to time, by the said several municipi-
6 pal officers, and said company shall conform thereto, and
7 changes of grade shall be made at the sole expense of the
8 corporation; and whenever, in the judgment of said cor-
9 poration, it shall be necessary to alter the grade of any
10 street occupied by its railroad, said alterations may be
11 made at the expense of said corporation; if the change
12 shall be assented to by the several towns and city in
13 which the change is to be made.

If the tracks of the said company's railroad cross any
15 other railroad at any time and a dispute arises in any way
16 in regard to the manner of crossing, the Board of Railroad
17 Commissioners of this State shall, upon hearing, decide
18 and determine, in writing, in what manner the crossing
19 shall be made, and it shall be constructed accordingly.

SECT. 8. No other corporation or person shall be per-
2 mitted to construct or maintain any railroad for similar
3 purposes, over the same streets or ways that may be law-

4 fully occupied by this corporation ; but any person or cor-
5 poration lawfully operating any street railroad to any point
6 to which this corporation's tracks extend, may enter upon
7 connect with and use the same on such terms and in such
8 manner as may be agreed upon between the parties, or if
9 they shall not agree, to be determined by the railroad
10 commissioners of the State of Maine.

SECT. 9. The first meeting of said corporation shall be
2 called in the manner provided in the Revised Statutes,
3 chapter forty-six, section three.

SECT. 10. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 11, 1891. }

Tabled, pending first reading, by Mr. PORTER of Bangor, and ordered
printed.

W. S. COTTON, *Clerk.*