

MAINE STATE LEGISLATURE

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Sixty-Sixth Legislature.

HOUSE.

No. 330.

STATE OF MAINE.

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

AN ACT to incorporate the Atlantic Shore Line Electric
Railroad Company, and to authorize the construction of
same across tide waters.

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

SECTION 1. James A. Strout, E. W. Staples, Henry C.
2 Lord, G. P. Littlefield, J. G. Shaw, Edwin Stone, Robert
3 W. Lord, Joseph A. Titcombe, Walter L. Dane, Trafton
4 Hatch and Samuel W. Junkins, Charles R. Bonsor and
5 A. E. Haley, their associates, successors and assigns, are
6 hereby created a corporation by the name of the Atlantic
7 Shore Line Electric Railroad Company, with authority to
8 construct, maintain, equip and use a railroad to be
9 operated by electrical power, with single or double tracks,
10 turnouts or switches, and to erect poles and place wires
11 for the same, from some point on the Saco river, in the

12 city of Biddeford, the towns of Kennebunkport, Kenne-
13 bunk, Wells, and to a point near the depot of the York
14 Beach Railroad in the town of York, Maine, and over
15 such streets, roads, and highways, in said city and towns,
16 as may from time to time be fixed and determined by
17 the municipal officers of said city and towns, and
18 assented to in writing by said corporation. Said cor-
19 poration shall have authority to construct, main-
20 tain and operate said railroad over and upon any
21 lands where the land damages have been mutually
22 settled between said corporation and the owners there-
23 of. The written consent of said corporation to any
24 vote or votes of said city or towns, prescribing from
25 time to time the routes of said railroad, shall be
26 recorded with the respective clerks of said city and
27 towns, and shall be deemed to be the location thereof,
28 and such location may be changed from time to time,
29 whenever the railroad commissioners shall, on petition of
30 the municipal officers of said city or either of said towns,
31 after due notice and hearing, adjudge such change neces-
32 sary for the public convenience and order the same to be
33 done. Said corporation shall have the power, from time
34 to time to fix such rates of compensation for transporta-
35 tion of persons and property as it may deem expedient
36 and generally shall have all the powers and be subject to
37 all the liabilities of corporations as set forth in the forty-
38 sixth chapter of the Revised Statutes.

SECT. 2. Said railroad shall be operated and used by
2 said corporation with electrical power. The municipal
3 officers of said city of Biddeford, and the municipal offi-
4 cers of said towns of Kennebunkport, Kennebunk, Wells

5 and York respectively, shall have power at all times, to make
6 all such regulations, as to rate of speed, and removal of
7 snow and ice from the streets, roads and highways, by
8 said company, at its expense, and the manner of use of
9 the tracks of said railroad, within said city or towns, as
10 the public convenience and safety may require.

SECT. 3. Said corporation shall maintain and keep in
2 repair such portions of the streets, roads, or highways as
3 shall be occupied by the tracks of its railroad, and shall
4 make all other repairs of said streets, roads or highways,
5 which may be rendered necessary by the occupation of
6 the same by said railroad. Said corporation shall be
7 liable for any loss or damage which any person may sus-
8 tain by reason of any carelessness, neglect or misconduct
9 of its agents or servants, or of any obstruction by them
10 placed in the streets or roads of said city or towns, and
11 shall have and hold said city and towns harmless from any
12 suits for such loss or damage.

SECT. 4. The capital stock of said corporation
2 shall not exceed five hundred thousand dollars, to be
3 divided into shares of fifty dollars each. The directors
4 of said company shall have power and authority to trans-
5 fer and issue stock to any person, in consideration for
6 any claim or demand against the company, or in payment
7 for any property right or privilege, granted by any person
8 to the company, and such stock shall be full paid stock,
9 the same as if actual cash had been paid therefor.

SECT. 5. Said corporation shall have the power to lease,
2 purchase, hold and transfer such real and personal estate
3 and motive power as may be necessary and convenient for
4 the purposes and management of said railroad.

SECT. 6. Said railroad shall be constructed and maintained in such form and manner and with such rails and other appliances as may be deemed necessary by the company, and be assented to by the municipal officers of said cities and towns respectively, and when over and upon the streets, roads or highways, in said city or towns, upon such grades as the municipal officers of said city and towns, respectively, shall from time to time prescribe and direct; and whenever in the opinion of said corporation, it shall be necessary to change the grade of any street, road or highway said changes may be made at the expense of said corporation, provided the same shall be assented to by the municipal officers of said city, or towns respectively. If the tracks of said company's railroad, cross any other railroad, of any kind in said city or towns and a dispute arises in any way, relating to the manner of crossing, the railroad commissioners shall, upon hearing both parties, decide and determine in writing the way and manner the crossing shall be made, and it shall be constructed accordingly.

SECT. 7. Nothing in this act shall be construed to prevent the proper authorities of said city or towns, respectively, from entering upon and taking up any of the streets, roads or highways, occupied by said railroad for any purpose for which they may now take up the same.

SECT. 8. Said corporation is hereby authorized to issue bonds for the purpose of building and equipping its railroad, or for any money which it may borrow for any purpose authorized by law, but the bonds so issued shall not exceed the amount of capital stock. Said bonds may be issued in sums not less than one hundred each, on

7 such time and rate as the said corporation may think pro-
8 per. Said bond shall be secured by a conveyance of the
9 corporation property and franchise, by a proper instru-
10 ment of mortgage, to secure the payment of the same.

SECT. 9. The said railroad shall be constructed and
2 maintained in such form and manner, and with such rails
3 and appliances that so much of the streets, roads and
4 highways as are occupied thereby, shall be safe and con-
5 venient for public use; and said corporation shall be
6 liable in an action on the case for any loss or damage
7 which any person may sustain by reason of any failure to
8 comply with this provision.

SECT. 10. The first meeting of said corporation may
2 be called by one of the corporators giving written notice
3 to the others of the time and place of the meeting, at least
4 seven days before the meeting.

SECT. 11. Said corporation is hereby authorized to lay
2 its tracks along and over any bridge or bridges in either
3 of the towns herein before mentioned, now constructed, or
4 that may hereafter be constructed, by either of said towns
5 over tide waters therein, and especially over the Kenne-
6 bunk river, a navigable stream: provided always that
7 navigation shall not be obstructed thereby.

SECT. 12. This act shall be void, unless ten per cent
2 of the capital stock of said corporation shall be paid in and
3 expended in the construction of said railroad, within two
4 years from the date of the approval of this act.

SECT. 13. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 14, 1893. }

Reported by Mr. MCKENNEY of Biddeford, from Committee on Railroads, Telegraphs and Expresses, and ordered printed under House rules.

W. S. COTTON, *Clerk.*