

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

HOUSE.

No. 387.

STATE OF MAINE.

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

AN ACT to amend section one of chapter two hundred and fifty-three of the Private and Special Laws of eighteen hundred and ninety-one entitled "An Act to incorporate the Waldo Street Railway Company" as amended by chapter six hundred and thirty-seven of the Private and Special Laws of eighteen hundred and ninety-three.

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

SECTION 1. Section one of chapter two hundred and 2 fifty-three of the Private and Special Laws of eighteen 3 hundred and ninety-one entitled "An Act to incorporate 4 the Waldo Street Railway Company," as amended by 5 chapter six hundred and thirty-seven of the Private and 6 Special Laws of eighteen hundred and ninety-three is 7 hereby amended by adding after the word "power" in the

8 last line thereof the following words, 'provided, however,
9 that upon written application by said corporation to the
10 municipal officers of said city or the municipal officers of
11 any of said towns and hearing thereon, the municipal
12 officers of such city or town may authorize said corpora-
13 tion to discontinue the running of its cars within the limits
14 of such city or town, during such portions of the winter
15 months, and upon such terms and conditions as they may
16 determine; said company may appeal from such decision
17 to the board of railroad commissioners, who shall, after
18 reasonable notice and hearing, make such a determination
19 thereon as shall be reasonable and proper, and their deci-
20 sion shall be final.' So that said section as amended shall
21 read as follows:

'Section 1. C. B. Hazeltine, J. G. Brooks, A. A.
23 Howes, William B. Swan, J. H. Quimby, Nathan F.
24 Houston, Charles Baker and J. H. Howes of Belfast, in
25 the county of Waldo, Samuel E. Shepherd and Herbert L.
26 Shepherd of Rockport, and E. K. O'Brien of Thomaston,
27 in the county of Knox, and state of Maine, their associates,
28 successors and assigns are hereby constituted a corpora-
29 tion by the name of Waldo Street Railway Company, with
30 authority to construct, maintain and use a street railroad
31 to be operated by electric or animal power, with con-
32 venient single or double tracks, side tracks, switches and
33 turnouts, with any necessary or convenient lines of poles,
34 wire appliances, appurtenances and conduits, from and to
35 such points in the town of Stockton Springs, through the
36 town of Searsport, the city of Belfast and the towns of
37 Northport and Lincolnville, to the line between the towns
38 of Camden and Lincolnville, upon and over such streets

39 in said towns and city as shall from time to time be fixed
40 and determined by the municipal officers of the said
41 several towns and city aforesaid and assented to in writing
42 by said corporation, and shall have the right to cross tide
43 water in Belfast bay or harbor, at any place above Lane's
44 wharf, so called, as near the highway bridge as a com-
45 petent engineer will determine that a practicable curve
46 can be made in said bay or harbor, by building and
47 maintaining suitable draws for the accommodation of nav-
48 igation; and also shall have authority to construct, main-
49 tain and use said railroad, over and upon any land of pri-
50 vate owners where consent is obtained and damages paid
51 or released, provided, however, that all tracks of said
52 railways shall be laid at such distances from the sidewalks
53 of said towns and city, as the municipal officers thereof
54 shall in their orders fixing the routes of said railway,
55 determine to be for public safety and convenience. The
56 written assent of said corporation to any vote or votes of
57 the municipal officers of said towns and city prescribing
58 from time to time the routes of said railway, shall be filed
59 with the clerks of the said several towns and city, and
60 shall be taken and deemed to be the location thereof,
61 which shall not afterwards be changed except by the mu-
62 tual consent of the municipal officers of said city and
63 towns and the corporation. Said corporation shall have
64 power from time to time to fix such rates of compensa-
65 tion for transportation of persons and property as it may
66 think expedient; to issue bonds and secure the same by
67 mortgage of its franchise and property; also it is authorized
68 to lease all of its property and franchises upon such terms
69 as it may determine, and in general shall have all the powers
70 and be subject to all the liabilities of corporations, as set

71 forth in the forty-sixth chapter of the revised statutes ;
 72 the rights of said corporation in laying its rails and main-
 73 taining its road, shall be no more than are, or may be
 74 granted by the municipal officers of said city and towns ;
 75 and in the matter of keeping in repair that portion of the
 76 roads between the rails and adjacent to them outside, the
 77 corporation shall be limited and bound by the restrictions
 78 and conditions imposed by the said city and towns at the
 79 time of granting the license. Said corporation shall at
 80 all times maintain a suitable conveyance for passengers at
 81 reasonable hours and when not expedient to operate said
 82 road by electricity, its cars shall be propelled by animal
 83 power, provided however that upon written application
 84 by said corporation to the municipal officers of said city
 85 or the municipal officers of any of said towns, and hear-
 86 ing thereon, the municipal officers of such city or town
 87 may authorize said corporation to discontinue the running
 88 of its cars within the limits of such city or town, during
 89 such portions of the winter months, and upon such terms
 90 and conditions as they may determine ; said company may
 91 appeal from such decision to the board of railroad com-
 92 missioners, who shall, after reasonable notice and hearing,
 93 make such a determination thereon, as shall be reasonable
 94 and proper, and their decision shall be final.

SECT. 2. This act to take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
 March 21, 1895.

Reported by Mr. LITTLEFIELD of Belfast, from Committee on Rail-
 roads, Telegraphs and Expresses, and ordered printed under house rules.

W. S. COTTON, *Clerk.*