

# MAINE STATE LEGISLATURE

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# Sixty-Seventh Legislature.

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SENATE.

No. 58.

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## STATE OF MAINE.

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

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AN ACT to amend chapter six hundred and thirty-four of the Private and Special Laws of eighteen hundred and ninety-three, relating to the Hampden and Winterport Electric Railway and Light Company.

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

SECTION 1. Section one of chapter six hundred and 2 thirty-four, Private and Special Laws of eighteen hundred 3 and ninety-three, is hereby amended by striking out the 4 words "Hampden and Winterport Electric Railway and 5 Light Company," in the seventh and eighth lines thereof, 6 and inserting in their place, 'Hampden and Winterport 7 Railway;' and further amended by inserting at the end of 8 the thirty-eighth line after the words "location thereof"

9 the following words, to wit: 'Said corporation is hereby  
10 granted the right to run passenger and freight cars over  
11 its said line and over the tracks of the Bangor Street  
12 Railway, so far as it is necessary in order to deliver  
13 passengers and freight in the vicinity of West Market  
14 Square, Broad and Exchange streets in said Bangor, on  
15 such rates of compensation and other terms as may be  
16 agreed upon between said corporation and the Bangor  
17 street railway; but in case said corporations are unable to  
18 agree upon such rates of compensation or other terms,  
19 then three disinterested persons shall be appointed by the  
20 judge of the supreme court, on application of either party,  
21 and a hearing shall be had before said commission. Said  
22 commission shall be sworn, give notice of the time and  
23 place of their meeting, to determine the matter in dispute,  
24 and shall make to each party a written final decision of  
25 the points submitted, and their services shall be paid in  
26 equal proportions by the parties. The Bangor Street  
27 Railway is hereby granted the right to run its cars over  
28 the line and tracks of said Hampden and Winterport Rail-  
29 way, subject to the terms of arbitration herein provided;  
30 provided always, that said Hampden and Winterport Rail-  
31 way shall not run its cars over the tracks of the Bangor  
32 Street Railway, and the Bangor Street Railway shall not  
33 run its cars over the tracks of the Hampden and Winter-  
34 port Railway, for the transportation of passengers, other  
35 than upon terms mutually agreed upon by said companies,  
36 or determined by arbitration, as herein provided; so that  
37 said section as amended shall read as follows:

'Section 1. J. Manchester Haynes and George E.  
39 Macomber of Augusta, Kennebec county; Henry W.

40 Mayo of Hampden; Henry L. Mitchell and Eugene C.  
41 Nichols of Bangor, in Penobscot county; Fred Atwood of  
42 Winterport, in the county of Waldo; and H. L. Shep-  
43 herd of Rockport, in the county of Knox; their associ-  
44 ates, successors and assigns, are hereby constituted a cor-  
45 poration by the name of the Hampden and Winterport  
46 Railway, with authority to construct, maintain and oper-  
47 ate by electricity or animal power, a street railway with  
48 convenient single or double tracks, side tracks, switches  
49 or turnouts, with all necessary or convenient lines of  
50 poles, wires, appliances, appurtenances, conduits and elec-  
51 tric plants for motive power and lighting, in and through  
52 the towns of Hampden, Winterport, Frankfort, Prospect  
53 and Stockton Springs, upon streets and highways to be  
54 located by the municipal officers of said respective towns,  
55 after the right of way has been granted by the towns, and  
56 assented to in writing by said corporation, build and main-  
57 tain bridges with draws across navigable tide waters in  
58 each of said towns upon location and upon terms to be  
59 established and made by the county commissioners of the  
60 counties in which the bridge is located. Said corporation  
61 shall have authority to construct electric light and power  
62 plants and maintain and operate said railway upon and  
63 over any lands where the land damages have been mutu-  
64 ally settled by said corporation and owners thereof; estab-  
65 lish and locate electric lights upon streets, furnish lights  
66 to individuals and collect pay for the same; provided,  
67 however, that all tracks of said railway shall be laid at  
68 such distances from the sidewalks of said towns as the  
69 respective municipal officers thereof shall in their order  
70 fixing the routes of said railway determine to be for

71 the public safety and convenience. The written assent  
72 of said corporation to any vote of said towns or of the  
73 municipal officers of said towns, prescribing from time to  
74 time the routes of said railway, shall be filed with the  
75 respective clerks of said towns, and the assent to the loca-  
76 tion of bridges by county commissioners to be filed with  
77 the clerk of courts, shall be taken and deemed to be the  
78 location thereof. Said corporation is hereby granted the  
79 right to run passenger and freight cars over its said line  
80 and over the tracks of the Bangor Street Railway, so far  
81 as it is necessary in order to deliver passengers and freight  
82 in the vicinity of West Market Square, Broad and Ex-  
83 change streets in said Bangor, on such rates of compensa-  
84 tion and other terms as may be agreed upon between said  
85 corporation and the Bangor Street Railway; but in case  
86 said corporations are unable to agree upon such rates of  
87 compensation or other terms, then three disinterested per-  
88 sons shall be appointed by the judge of the supreme  
89 court, on application of either party, and a hearing shall  
90 be had before said commission. Said commissioners shall  
91 be sworn, give notice of the time and place of their meet-  
92 ing, to determine the matter in dispute, and shall make to  
93 each party a written final decision of the points submitted,  
94 and their services shall be paid in equal proportions by  
95 the parties. The Bangor Street Railway is hereby granted  
96 the right to run its cars over the line and tracks of said  
97 Hampden and Winterport Railway subject to the terms of  
98 arbitration herein provided; provided always, that said  
99 Hampden and Winterport Railway shall not run its cars  
100 over the tracks of the Bangor Street Railway, and the  
101 Bangor Street Railway shall not run its cars over the

102 tracks of the Hampden and Winterport Railway, for the  
103 transportation of passengers, other than upon terms mut-  
104 ually agreed upon by said companies, or determined by  
105 arbitration as herein provided. Said corporation shall  
106 have power from time to time to fix such rates of compen-  
107 sation for transporting persons or property as it may think  
108 expedient, and generally shall have all the powers and be  
109 subject to all the liabilities of corporations as set forth in  
110 the forty-sixth chapter of the Revised Statutes.'







STATE OF MAINE.

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IN SENATE, February 7, 1895.

Reported by Mr. ENGEL, from Committee on Railroads, Telegraphs  
and Expresses and laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*