

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# Sixty-Ninth Legislature.

---

---

SENATE.

No. 113

---

---

## STATE OF MAINE.

---

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

---

AN ACT to incorporate the Bluehill and Bucksport Electric Rail  
road Company.

---

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

Section 1. Merrill P. Hinckley, A. M. Devereux, Frank P.  
2 Merrill, Frank P. Green, Austin T. Stevens, Nahum Hinckley  
3 and Rufus P. Grindle, their associates, successors and assigns,  
4 are hereby constituted a corporation by the name of the Bluehill  
5 and Bucksport Electric Railroad Company, with authority to  
6 construct, maintain and use a street railroad, to be operated by  
7 horse power or electricity, with convenient single or double  
8 tracks, side tracks, switches or turnouts, with any necessary or  
9 convenient line of poles, wires, appliances, appurtenances or  
10 conduits, from Bluehill, upon and over any public highway  
11 leading from said Bluehill to and through the town of Bucksport  
12 and from and to such other points and upon and over such  
13 other streets and ways, and across navigable tide waters, in th

14 towns of Bluehill, Penobscot, Orland and Bucksport, as shall  
15 from time to time be fixed and determined by the municipal  
16 officers of said towns, and assented to in writing by said corpo-  
17 ration, and shall also have authority to construct, maintain and  
18 use said railroad over and upon any lands where the land dam-  
19 ages have been mutually settled by said corporation and the  
20 owners thereof, provided, however, that all tracks of said rail-  
21 road shall be laid at such distances from the sidewalks in any  
22 of said towns as the municipal officers thereof shall, in their  
23 order fixing the routes and locations of said railroad, determine  
24 to be for public safety and convenience. The written assent of  
25 said corporation to any vote of the municipal officers of either  
26 of said towns, prescribing from time to time, the routes of said  
27 railroad therein, shall be filed with the clerk of said town, and  
28 shall be taken and deemed to be the location thereof. Said  
29 corporation shall have power, from time to time, to fix such  
30 rates of compensation for transporting persons and property as  
31 it may think expedient, and shall have all the powers and be  
32 subject to all the liabilities of corporations as set forth in the  
33 forty-sixth chapter of the Revised Statutes.

Sect. 2. The municipal officers of said towns shall have  
2 power, at all times, to make all regulations as to the rate of  
3 speed, the removal of snow and ice from the streets, roads and  
4 ways by said company at its expense, and the manner of use of  
5 tracks of said railroad within each of said towns as public con-  
6 venience and safety may require.

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

Sect. 4. If any person shall willfully or maliciously obstruct 2 said corporation in the use of its roads or tracks or the passing 3 of the cars or carriages of said corporation thereon, such person 4 and all who shall aid or abet therein, shall be punished by a fine 5 not exceeding two hundred dollars or with imprisonment in the 6 county jail for a period not exceeding sixty days.

Sect. 5. The capital stock of said corporation shall not exceed 2 two hundred and fifty thousand dollars, to be divided into 3 shares of one hundred dollars each.

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

Sect. 7. Said railroad shall be constructed and maintained in 2 each of said towns, in such form and manner and upon such 3 grade and with such rails as the municipal officers of said town 4 shall direct, and whenever in the judgment of the said corporation 5 it shall be necessary to alter the grade of any street or 6 way, said alteration may be made at the sole expense of said 7 corporation, provided, the same shall be assented to by the 8 municipal officers of the town wherein said grade so sought to 9 be changed is located. If the tracks of said corporation's railroad 10 cross any other railroad, and a dispute arises in any way 11 in regard to the manner of crossing, the board of railroad commissions 12 of this state shall, upon hearing, decide and determine 13 in writing in what manner the crossing shall be made, and it 14 shall be constructed accordingly.

Sect. 8. Said corporation may change the location of said 2 railroad at any time by first obtaining the written consent of 3 the municipal officers of the town in which the change is so 4 sought to be made, and to make additional locations subject to 5 the foregoing provisions and conditions.

Sect. 9. Nothing in this act shall be construed to prevent the 2 proper authorities of either of said towns from entering upon

3 and taking up any of the streets or ways in either of said towns,  
4 occupied by said railroad for any purpose for which they may  
5 lawfully take up the same.

Sect. 10. No other person or corporation shall be permitted  
2 to construct or maintain any railroad for similar purposes over  
3 the same streets or ways that may be lawfully occupied by this  
4 corporation, but any person or corporation lawfully operating  
5 any horse or electric railroad to any point to which this corpo-  
6 ration's tracks extend, may enter upon, connect with and use  
7 the same on such terms and in such manner as may be agreed  
8 upon between the parties, or if they shall not agree, to be deter-  
9 mined by the railroad commissioners for the state of Maine.

Sect. 11. Said corporation is hereby authorized to issue  
2 bonds in such amount, and on such time as may from time to  
3 time, be determined, in aid of the purposes specified in this act,  
4 and to secure the same by a mortgage of its franchises and  
5 property. It is also hereby authorized to lease all of its prop-  
6 erty and franchises upon such terms as it may determine.

Sect. 12. The first meeting of said corporation may be called  
2 by any two of said corporators giving actual notice in writing  
3 to their several associates, and said corporation may make such  
4 by-laws as are proper and not contrary to the laws of the state.

Sect. 13. This charter shall be null and void unless opera-  
2 tions for building said railway shall have been actually com-  
3 menced within two years from the passage of this act.

Sect. 14. This act shall take effect when approved.

---

## STATE OF MAINE.

---

IN SENATE, March 8, 1899.

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

KENDALL M. DUNBAR, *Secretary.*