

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)

Seventieth Legislature.

HOUSE.

No. 113

STATE OF MAINE.

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

AN ACT to incorporate the Lincoln Electric Railway Company.

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

Section 1. William C. Thompson, A. R. Nickerson, S. T.
2 Kimball, J. F. Fanning, their associates, successors and
3 assigns, are hereby constituted a corporation by the name of
4 the Lincoln Electric Railway Company, with authority to
5 construct, maintain and use a street railroad to be operated
6 by electricity, with convenient single or double tracks, side
7 tracks, switches or turnouts, with any necessary or conven-
8 ient lines of poles, wires, appliances, appurtenances, or con-
9 duits from or near the Damariscotta and Newcastle depot of
10 the Maine Central Railroad Company in the town of New-
11 castle, over the navigable tide waters of the Damariscotta river
12 between the said towns of Damariscotta and Newcastle, upon

13 and over the stage road, so called, leading from said depot to
14 Pemaquid Point in the town of Bristol, and from and to
15 such other points and upon and over such other streets and
16 ways in the towns of Newcastle, Damariscotta, Nobleboro
17 and Bristol as shall from time to time be fixed and deter-
18 mined by the municipal officers of said towns and assented
19 to in writing by said corporation, and shall also have author-
20 ity to construct, maintain and use said railroad over and upon
21 any lands where the land damages have been mutually settled
22 by said corporation and the owners thereof, provided, how-
23 ever, that all tracks of said railroad shall be laid at such dis-
24 tances from the sidewalks in any of said towns as the
25 municipal officers thereof shall, in their order fixing the
26 routes and locations of said railroad, determine to be for pub-
27 lic safety and convenience. The written consent of said cor-
28 poration to any vote of the municipal officers of either of said
29 towns, prescribing from time to time, the routes of said rail-
30 road therein, shall be filed with the clerk of said town and
31 shall be taken and deemed to be the location thereof. Said
32 corporation shall have power, from time to time, to fix such
33 rates of compensation for transporting persons and property
34 as it may think expedient, and shall have all the powers and
35 be subject to all the liabilities of corporations as set forth in
36 the forty-sixth chapter of the revised statutes.

Sect. 2. 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 town may be
6 rendered necessary by the occupation of the same by said
7 railroad, and if not repaired upon reasonable notice, such
8 repairs may be made by said town at the expense of said
9 corporation.

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

Sect. 4. The capital stock of said corporation shall not
2 exceed three hundred thousand dollars, to be divided into
3 shares of one hundred dollars each.

Sect. 5. Said corporation shall have the power to lease,
2 purchase or hold such real or personal estate as may be neces-
3 sary and convenient for the purpose of management of said
4 road.

Sect. 6. Whenever in the judgment of the said corporation it
2 shall be necessary to alter the grade of any street or way,
3 said alterations may be made at the sole expense of said cor-
4 poration, provided the same shall be assented to by the muni-
5 cipal officers of the town wherein the said grade so sought
6 to be changed is located. And said corporation shall not be
7 liable to any abutting land owners for any such alteration
8 of grade. If the tracks of said corporation's railroad cross
9 any other railroad at any time and a dispute arises in any way
10 in regard to the manner of crossing, the board of railroad
11 commissioners of this state shall upon hearing, decide and
12 determine in writing in what manner the crossing shall be
13 made and it shall be constructed accordingly.

Sect. 7. 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
5 to the foregoing provisions and conditions.

Sect. 8. No other corporation or person shall be permitted
2 to construct or maintain any railroad for similar purposes

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

Sect. 9. 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
4 act, and to secure the same by a mortgage of its franchises
5 and property. It is also hereby authorized to lease all of its
6 property and franchises upon such terms as it may determine.

Sect. 10. The first meeting of said corporation may be
2 called by any one of said corporators giving actual notice in
3 writing to their several associates, and said corporation may
4 make such by-laws as are proper and not contrary to the laws
5 of the state.

Sect. 11. This charter shall be null and void unless opera-
2 tion for building this railroad shall have been actually com-
3 menced within two years from date of the passage of this
4 act.

Sect. 12. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,
AUGUSTA, February 8, 1901.

Reported by Mr. KALER of Scarborough, from Committee on Railroads,
Telegraphs and Expresses, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*