

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

SENATE.

No. 30

STATE OF MAINE.

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

AN ACT to incorporate the Auburn and Turner Railroad
Company.

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

Section 1. W. P. Sawyer of Lewiston, Maine; F. C. Farr
2 of said Lewiston and H. M. Heath of Augusta, Maine, their
3 associates, successors and assigns, are hereby made a corpo-
4 ration under the name of the Auburn and Turner Railroad
5 Company with power to construct, operate and maintain a
6 street railroad for street traffic for the conveyance of persons
7 and property in the city of Auburn and the town of Turner,
8 from the terminus of the Lewiston, Brunswick and Bath
9 Street Railway, at Lake Grove so called, in Auburn, to some
10 convenient point in the town of Turner, along and over such
11 streets, roads and ways in said city and town and over and
12 across such lands as may seem advisable and necessary to said
13 company, with such single or double tracks, side tracks,

14 switches, turnouts, stations and appurtenances and with such
15 poles, wires and appliances as shall be reasonable in the prem-
16 ises, with all the rights and powers, and subject to all the
17 duties and liabilities incident by law to similar corporations.

Sect. 2. The capital stock of said corporation shall be one
2 hundred thousand dollars and may be divided into common
3 and preferred stock as said corporation may determine. It
4 may make and ordain such reasonable by-laws, not inconsis-
5 ent in law, as its business may require.

Sect. 3. The municipal officers of said city and town shall
2 determine the distance from the sidewalks, or side lines of any
3 way at which the rails of said company shall be laid. The
4 said company or any person interested therein may appeal
5 from any such determination to the board of railroad com-
6 missioners, who shall upon notice hear the parties and finally
7 determine the questions raised by said appeal.

Sect. 4. The municipal officers of said city and town shall
2 have power at all times to make all such regulations as to
3 the mode and use of said track of the company, the rate of
4 speed and the removal and disposal of snow and ice from the
5 streets, roads and ways as the public safety and convenience
6 may require. Said railroad shall be constructed and main-
7 tained in such form and manner and with such rails as said
8 municipal officers may direct. The said company may appeal
9 from any decree of such municipal officers, made under this
10 section to the board of railroad commissioners, who shall
11 upon notice hear the parties and finally determine the ques-
12 tions raised by said appeal.

Sect. 5. Before beginning construction of its said road, the
2 said company shall first file with the clerk of the county com-
3 missioners of Androscoggin county, a copy of its location,
4 defining its courses, distances and boundaries, accompanied
5 with a map of the proposed road on an appropriate scale and

6 another copy shall be filed with the board of railroad com-
7 missioners.

Sect. 6. Such company outside of the limits of streets,
2 roads and ways may for its location, construction and con-
3 venient use of its road for its main track line, switches, turn-
4 outs, spur tracks, side tracks, stations, car barns, gravel pits
5 and power houses, improving the alignment of its road or
6 changing the grades thereof, purchase or take and hold as for
7 public uses, any lands and all materials in and upon it, except-
8 ing meeting houses, dwelling houses and public or private
9 burying grounds and may excavate in, through or over such
10 lands to carry out its purposes but the lands so taken for its
11 main track line, turnouts, switches, spur tracks and side tracks
12 shall not exceed four rods in width, unless necessary for
13 excavations and embankments, or materials. All land so
14 taken except for its main track line, turnouts, switches, spur
15 tracks and side tracks shall be subject to the provisions of
16 section sixteen, chapter fifty-one of the Revised Statutes. It
17 may enter upon any such lands to make surveys for its loca-
18 tion, and plans of all location of lands so taken shall be filed
19 with the clerk of courts in the county of Androscoggin and
20 when so filed such land shall be deemed and treated as taken.
21 All damages for lands taken hereunder, shall be estimated
22 and paid as in the case of taking lands for railroads.

Sect. 7. The said Auburn and Turner Railroad Company
2 is hereby authorized to sell or lease its property and fran-
3 chises to any street railroad company whose lines as con-
4 structed or chartered would form connecting or continuous
5 lines with the lines of the said Auburn and Turner Railroad
6 Company as constructed or chartered, and in such case the
7 corporation so purchasing or leasing the said property and
8 franchises shall be entitled to all the privileges and be subject
9 to all appropriate conditions and limitations contained in the
10 charter and franchise of the said Auburn and Turner Rail-

11 road Company. Any street railroad whose lines as con-
12 structed or chartered would form connecting or continuous
13 lines with the lines of the said Auburn and Turner Railroad
14 Company as constructed or chartered, is hereby authorized to
15 so purchase or lease the property and franchises of the said
16 Auburn and Turner Railroad Company.

Sect. 8. The said corporation is also authorized to consol-
2 idate with or to acquire by lease, purchase or otherwise the
3 lines, property and franchises of any street railroad or street
4 railroads whose lines as constructed or chartered would form
5 connecting or continuous lines with the lines of the said
6 Auburn and Turner Railroad Company as constructed or
7 chartered, and in such case the Auburn and Turner Railroad
8 Company shall be entitled to all the privileges and be subject
9 to all appropriate conditions and limitations contained in the
10 charters and franchises thus united with or acquired. Any
11 street railroad company whose lines as constructed or char-
12 tered would form connecting or continuous lines with the lines
13 of the Auburn and Turner Railroad Company as constructed
14 or chartered is hereby authorized to consolidate with or to
15 lease or to sell its lines, property and franchise as in this
16 section authorized.

Sect. 9. The said corporation is authorized to make such
2 connection with the Lewiston, Brunswick and Bath Street
3 Railway as may be mutually agreed upon and to contract with
4 the said Lewiston, Brunswick and Bath Street Railway for
5 the interchange of cars and such mutual running rights as
6 may be deemed proper.

Sect. 10. Said company for all its purposes may hold real
2 and personal estate necessary and convenient therefor.

Sect. 11. Upon the filing of the location of the said Auburn
2 and Turner Railroad, as above provided, any location upon
3 the said streets heretofore granted and approved by the
4 municipal officers of the city of Auburn for the Lewiston and

5 Auburn Horse Railroad Company and not then occupied by
6 the rails of the said company, shall be null and void.

Sect. 12. All of the general laws of the State applicable to
2 said railroad corporations, except as modified by this charter,
3 are hereby made applicable to the said corporation.

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

STATE OF MAINE.

IN SENATE, January 29, 1903.

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

KENDALL M. DUNBAR, *Secretary*