

MAINE STATE LEGISLATURE

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SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 444

STATE OF MAINE.

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

AN ACT to amend the charter of the Auburn and Turner
Railroad Company.

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

Section 1. The rights, powers and privileges of the Auburn
2 and Turner Railroad Company, which were granted by chap-
3 ter twenty of the Private and Special Laws of nineteen hun-
4 dred and three, are hereby extended for two years from the
5 approval of this act; and the persons named in said act, their
6 associates and successors, shall have all the rights, powers
7 and privileges that were granted them by said act, to be exer-
8 cised in the same manner and for the same purposes as speci-
9 fied in said act, with such additional powers and privileges
10 as are granted in this act.

Sect. 2. Section one of said chapter twenty is hereby
2 amended by striking out the words "and the town of Turner"

3 in the seventh line of said section and inserting in place
4 thereof the following words, 'and the towns of Turner and
5 Buckfield'; by inserting after the words "town of Turner"
6 in the tenth line of said section the words 'and from some
7 convenient point in the town of Turner to some convenient
8 point in the town of Buckfield'; by striking out the word
9 "town" in the eleventh line of said section and inserting the
10 word 'towns,' so that said section as amended shall read as
11 follows:

'Section 1. W. P. Sawyer of Lewiston, Maine, F. C. Farr
13 of said Lewiston and H. M. Heath of Augusta, Maine, their
14 associates, successors and assigns, are hereby made a cor-
15 poration under the name of the Auburn and Turner Railroad
16 Company, with power to construct, operate and maintain a
17 street railroad for street traffic for the conveyance of per-
18 sons and property in the city of Auburn and the towns of
19 Turner and Buckfield, from the terminus of the Lewiston,
20 Brunswick and Bath Street Railway, at Lake Grove, so
21 called, in Auburn, to some convenient point in the town of
22 Turner, and from some convenient point in the town of Tur-
23 ner to some convenient point in the town of Buckfield, along
24 and over such streets, roads and ways in said city and towns
25 and over and across such lands as may seem advisable and
26 necessary to said company, with such single or double tracks,
27 side tracks, switches, turnouts, stations and appurtenances
28 and with such poles, wires and appliances as shall be reason-
29 able in the premises, with all the rights and powers, and sub-
30 ject to all the duties and liabilities incident by law to similar
31 corporations.'

Sect. 3. Section three of said chapter twenty is hereby
2 amended by striking out the word "town" in the first line of
3 said section and inserting in place thereof the word 'towns,'
4 so that said section as amended shall read as follows:

‘Sect. 3. The municipal officers of said city and towns shall
6 determine the distance from the sidewalks, or side lines of
7 any way at which the rails of said company shall be laid.
8 The said company or any person interested therein may
9 appeal from any such determination to the board of railroad
10 commissioners, who shall upon notice hear the parties and
11 finally determine the questions raised by said appeal.’

Sect. 4. Section four of said chapter twenty is hereby
2 amended by striking out the word “town” in the first line
3 of said section and inserting in place thereof the word ‘towns,’
4 so that said section as amended shall read as follows:

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

Sect. 5. Section five of said chapter twenty is hereby
2 amended so that said section as amended shall read as fol-
3 lows:

‘Sect. 5. Before beginning construction of its said road,
5 the said company shall first file with the clerk of the county
6 commissioners of Androscoggin county a copy of so much
7 of its location as is within the city of Auburn and town of
8 Turner, defining its courses, distances and boundaries, accom-
9 panied with a map of the proposed road in the city of Auburn
10 and town of Turner on an appropriate scale; and before
11 beginning construction of its said road in the town of Buck-

12 field, the said company shall first file with the clerk of the
13 county commissioners of Oxford county a copy of so much
14 of its location as is within said town of Buckfield, defining
15 its courses, distances and boundaries, accompanied with a
16 map of the proposed road in said town of Buckfield on an
17 appropriate scale; and a copy of the entire location, accom-
18 panied with a map, shall be filed with the board of railroad
19 commissioners.'

Sect. 6. Section six of said chapter twenty is hereby
2 amended by inserting after the word "taken" in the
3 eighteenth line of said section the words 'in the county of
' 4 Androscoggin,' and by inserting after the word "Andros-
5 coggin" in the nineteenth line of said section the words 'and
6 plans of all location of lands so taken in the county of Oxford
7 shall be filed with the clerk of courts in said county of
8 Oxford,' so that said section as amended shall read as fol-
9 lows:

'Sect. 6. Such company outside of the limits of streets,
11 roads and ways may for its location, construction and con-
12 venient use of its road for its main track line, switches, turn-
13 outs, spur tracks, side tracks, stations, car barns, gravel pits
14 and power houses, improving the alignment of its road or
15 changing the grades thereof, purchase or take and hold as
16 for public uses, any lands and all materials in and upon it,
17 excepting meeting houses, dwelling houses and public or pri-
18 vate burying grounds, and may excavate in, through or over
19 such lands to carry out its purposes, but the lands so taken
20 for its main track line, turnouts, switches, spur tracks and
21 side tracks shall not exceed four rods in width, unless neces-
22 sary for excavations and embankments, or materials. All
23 land so taken except for its main track line, turnouts,
24 switches, spur tracks and side tracks shall be subject to the
25 provisions of section twenty-six, chapter fifty-one of the

26 Revised Statutes. It may enter upon any such lands to make
27 surveys for its location, and plans of all location of lands so
28 taken in the county of Androscoggin shall be filed with the
29 clerk of courts in the county of Androscoggin, and plans of
30 all location of lands so taken in the county of Oxford shall
31 be filed with the clerk of courts in said county of Oxford,
32 and when so filed such land shall be deemed and treated as
33 taken. All damages for lands taken hereunder, shall be esti-
34 mated and paid as in the case of taking lands for railroads.'

Sect. 7. This act shall take effect when approved.



STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 9, 1905.

Reported by Mr. HALL from Committee on Railroads and Expresses
and ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*