

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-FOURTH LEGISLATURE

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HOUSE.

No. 670

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## STATE OF MAINE.

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

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AN ACT to abolish Rines Hill grade crossing in Augusta.

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*Be it enacted by the People of the State of Maine, as follows:*

Section 1. The Maine Central Railroad Company is here-  
2 by ordered and directed to change the location of its road  
3 in the vicinity of Rines Hill crossing of Water Street in  
4 the City of Augusta, so that its tracks shall pass under  
5 Water Street instead of crossing said street at grade as at  
6 present. Said Railroad Company shall present to the Rail-  
7 road Commissioners a plan for such change in location  
8 (which plan shall show the lands, dwellings and other build-  
9 ings necessary or convenient to be taken and such of its  
10 present land as is necessary to be retained by it to effect such  
11 change in location), also a plan for the construction of such

12 crossing, together with a petition for the approval of said  
13 plans. Upon such petition notice shall be given and hear-  
14 ing had, and if said plans shall be satisfactory to the Rail-  
15 road Commissioners they shall approve the same. When  
16 a certified copy of said approved plan for change of loca-  
17 tion shall be filed in the Registry of Deeds of Kennebec  
18 County the lands, dwelling houses and other buildings so  
19 as above shown by said plan to be necessary or convenient  
20 to be taken for said purposes shall then be deemed to be  
21 taken, as and for public uses. Damages for the lands,  
22 dwelling houses and other buildings taken as aforesaid may  
23 be recovered as provided in Sections 31 to 40, both inclusive,  
24 of chapter 51 of the Revised Statutes. So much of Court  
25 Street as is shown to be taken by said plan shall be and be-  
26 come discontinued at the time of the filing of said plan in  
27 the Registry of Deeds as aforesaid. The provisions of the  
28 Statutes for the assessment of damages for such discon-  
29 tinuance shall apply in the same manner as if the discon-  
30 tinuance had been made by the City of Augusta.

Sect. 2. Said Maine Central Railroad Company shall con-  
2 struct and maintain a foot bridge over the discontinued por-  
3 tion of Court Street.

Sect. 3. The Maine Central Railroad Company shall do  
2 all the work necessary to carry out the provisions of this  
3 act under the direction of the Railroad Commissioners who  
4 shall determine the entire cost thereof in which shall be in-  
5 cluded all damages for property taken and all damages

6 which the City of Augusta shall have to pay in consequence  
7 of the discontinuance of Court Street. The total cost de-  
8 termined as above provided shall be borne as follows: Fif-  
9 teen per cent. thereof, not to exceed \$15,000 by the City of  
10 Augusta, fifteen per cent. thereof not to exceed \$15,000 by  
11 the Lewiston, Augusta and Waterville Street Railway,  
12 twenty-five per cent. thereof not to exceed \$25,000 by the  
13 State of Maine and the balance by the Maine Central Rail-  
14 road Company, and the Railroad Commissioners shall de-  
15 termine the amounts which the City of Augusta and the  
16 Lewiston, Augusta and Waterville Street Railway and the  
17 State of Maine respectively shall each pay back to the Maine  
18 Central Railroad Company pursuant to the provisions of the  
19 act and render their award thereon, and upon the rendi-  
20 tion of such award the amounts so determined to be paid  
21 back to the Maine Central Railroad Company from each  
22 of said parties, shall then become due from each of said  
23 parties respectively to the Maine Central Railroad Com-  
24 pany. The Governor shall draw a warrant payable from  
25 any money in the State Treasury not otherwise appropriated  
26 to pay the sum due from the State.

Sect. 4. The work required by the provisions of this act  
2 shall be completed not later than December 1, 1910, and  
3 shall be done in such a manner as to afford reasonable facili-  
4 ties for travel on said street during the progress of said  
5 work, including the passage of electric cars thereon.

Sect. 5. This act shall not take effect unless approved by  
2 a majority vote of the legal voters of the city of Augusta

3 voting at an election to be specially called and held for the  
4 purpose on the fourth Monday in April, 1909. Said special  
5 election shall be called, advertised and conducted according  
6 to the law relating to municipal elections, provided, how-  
7 ever that the Board of Registration shall not be required to  
8 prepare or the City Clerk to post a new list of voters and  
9 for this purpose said Board shall be in session the three  
10 secular days next preceding such election. The first two  
11 days thereof to be devoted to registration of voters and the  
12 last day to enable the board to verify the correction of said  
13 lists and to complete and close up its records of said session.  
14 The City Clerk shall reduce the subject matter of this act  
15 to the following question: Shall the act to abolish the  
16 Rines Hill grade crossing in Augusta be accepted and the  
17 voters shall indicate by a cross placed against the words  
18 "yes" or "no" their opinion of the same. The result shall  
19 be declared by the Mayor and Aldermen and a certificate  
20 thereof filed by the City Clerk with the Secretary of State.  
21 This act shall take effect when approved by the Governor  
22 so far as necessary to empower the calling and holding of  
23 such election.

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STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, March 18, 1909.

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

E. M. THOMPSON, *Clerk.*