

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1874.

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1874.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1874.

Chapter 622.

An act to incorporate the Fairfield and Waterville Horse Railroad Company.

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

Corporators.

SECT. 1. Ezra Totman, Nahum Totman, William Connor, Calvin G. Totman, Samuel Gibson, George H. Newhall, Henry Fogg, Charles Fogg, Stephen H. Nye, T. W. Fogg, A. H. Duren, John H. Nye, Benjamin Bunker, Edward F. Tukey of Fairfield, and Homer Percival, John Webber, Edwin Noyes, Reuben Foster, Moses Lyford, A. A. Plaisted, Isaac S. Bangs, junior, and L. E. Thayer, of Waterville, their associates and successors, are hereby

Corporate name.

constituted a corporation by the name of the Fairfield and Waterville Horse Railroad Company, with authority to construct, maintain

May construct and maintain railroad.

and use a railroad to be operated by horse power, with convenient single or double tracks, from such a point in the town

Location and route.

of Fairfield, in the county of Somerset, to such a point on the river, at the bay, so called, in Waterville, in the county of Kennebec, and from such other points in said Fairfield and Waterville, and upon and over such streets and upon such portions of said streets therein as shall from time to time be fixed and determined by the municipal officers of said Fairfield and Waterville, in writing, and assented to in writing by said corporation, and no

Rails not to be laid without consent of municipal officers.

rails shall be laid without the consent of said officers, and said municipal officers of Fairfield and Waterville are to fix and determine upon and over what streets and portions of streets said railroad is to pass in their respective towns only. Such locations

Locations to be recorded.

shall be recorded in the records of the town in which the same is, and shall be taken and deemed to be the locations thereof. Said

May construct railroad over certain lands.

corporation shall also have authority to construct, maintain and use said railroad over and upon any lands when the land damages

Compensation for transportation.

have been mutually settled by said corporation and the owners thereof. Said corporation shall have power from time to time, to

Term of location.

fix such rates of compensation for transporting persons or property as it may think expedient, and generally shall have all the powers and be subject to all the liabilities of corporations as set forth in the forty-sixth chapter of the revised statutes. The

—may be renewed.

original location of the route, when granted, shall be for the term of twenty-five years; the same may be renewed within two years of the expiration of any term, from time to time, for a term not exceeding twenty-five years at any one time, by said municipal officers upon such terms as they may deem expedient, but all parties interested shall have reasonable prior notice before such renewal.

Railroad to be operated by horse power.

SECT. 2. Said railroad shall be operated and used by said corporation with horse power only. Said municipal officers,

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respectively, shall have power at all times to make all such regulations as to rate of speed and removal of snow and ice from the streets, roads and highways by said company at its expense, and mode of use of the track of said railroad within said towns, as the public convenience and safety require.

Municipal officers power to make regulations.

SECT. 3. Said corporation shall keep and maintain in repair such portion of the streets, town or county roads as shall be occupied by the tracks of its railroad, and shall make all other repairs of said streets or roads, which in the opinion of the municipal officers of said towns, respectively, may be rendered necessary by the occupation of the same by said railroad, and if not repaired upon reasonable notice, such repairs may be made by said towns respectively, at the expense of said corporation, and said corporation shall be liable for any loss or damage which any person may sustain by reason of any carelessness, neglect or misconduct of its agents or servants.

Corporation to repair streets and ways occupied by it.

Liability in case of neglect.

SECT. 4. If any person shall wilfully and maliciously obstruct said corporation in the use of its road or tracks, or the passing of the cars or carriages of said corporation thereon, such person, and all who shall aid and abet therein, shall be punished by a fine not exceeding two hundred dollars, or may be imprisoned in the county jail for a period not exceeding sixty days.

Wilful and malicious obstructions, penalty for.

SECT. 5. The capital stock of said corporation shall not exceed fifty thousand dollars, to be divided into shares of one hundred dollars each, and no share shall issue for less than the par value.

Capital stock.

SECT. 6. Said corporation shall have power to purchase and hold such real estate as may be necessary and convenient for the purposes and management of said railroad.

May hold real estate.

SECT. 7. Said railroad shall be constructed and maintained in such form and manner, and with such rail and upon such grade as the municipal officers of said towns, respectively, shall from time to time prescribe and direct, and whenever in the judgment of said corporation it shall be necessary to alter the grade of any street, town or county road occupied by its railroad, said alterations may be made at the sole expense of said corporation; *provided* the same shall be assented to by the municipal officers of said towns, respectively. If the tracks of said company's railroad cross any other railroad of any kind in either said towns, and a dispute arises in any way in regard to the manner of crossing, said municipal officers of the town in which said proposed crossing is to be made shall, upon hearing, decide and determine, in writing, in what manner the crossing shall be made, which shall be constructed accordingly.

Railroad, how constructed and maintained.

Alterations, how made.

Proviso.

Railroad crossings, how determined.

SECT. 8. Nothing in this act shall be construed to prevent the proper authorities of said towns, respectively, from entering upon and taking up any of the streets, town or county roads occupied

Corporation not to interfere with rights of towns.

CHAP. 623. by said railroad for any purpose for which they may now lawfully take up the same.

Act void unless accepted in one year.

SECT. 9. This act shall be void unless the same shall be accepted by said corporation, and ten per cent. of the capital stock thereof be paid within one year from its passage.

Corporation not to occupy lands of Colby University without consent of trustees.

SECT. 10. Nothing in this act shall be construed to authorize said corporation to build or maintain a horse railway upon any of the lands of Colby University, in Waterville, and occupied by them, the same lying between College street and the Kennebec river, without the consent, in writing, of the trustees thereof, first had and obtained.

Approved March 4, 1874.

Chapter 623.

An act granting a charter to the Alumni Association of Bates College.

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

Alumni Association.
Powers of.
Seal.

SECT. 1. All graduates receiving the degree of A. B. from the president and trustees of Bates College, an institution of learning located in Lewiston, are hereby constituted a body politic and corporate under the name of the Alumni Association of Bates College, and by that name shall have power to prosecute and defend suits at law, to have and use a common seal and to change the same at pleasure, to receive and hold for the objects of their association by gift, grant, purchase, bequest or otherwise, any estate, real or personal, the annual income of which shall not exceed twenty-five thousand dollars, and to sell and convey any estate, real or personal, which the interests of the association may require to be sold or conveyed.

May hold real or personal estate.

Property, &c., how devoted.

SECT. 2. All property and estate, real or personal, or both, which may at any time by gift, grant, bequest, purchase or otherwise, come into the possession of the said association shall be devoted to the promotion of the interests of the said college.

Rules and by-laws.

SECT. 3. The said association may adopt such rules and regulations, pass such laws and by-laws, the same not being repugnant to the laws of this state, as they may deem expedient for the management of their affairs ; and they shall be and are hereby invested with all the powers, privileges, rights and immunities incident to similar corporations.

Powers, rights and immunities.

Quorum.

SECT. 4. Fifteen members of the association shall be necessary to constitute a quorum for the transaction of business.