

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE & SON, PRINTERS TO THE STATE.
1887.

ACTS AND RESOLVES

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SIXTY-FOURTH LEGISLATURE

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1889.

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February 18, 1840, and March 16, 1842.

AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1889.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

Augusta, said lots containing the graves of soldiers of the United States of America, whose names are unknown.

SECT. 2. That this state shall have concurrent jurisdiction with the United States of America over the lots described in the first section of this act, so far, that all civil, criminal and military process, issued under the authority of this state, or any officer thereof, may be executed on any part of said lots, in the same manner as if this jurisdiction had not been ceded.

Jurisdiction
concurrent.

Approved February 5, 1839.

Chapter 323.

An Act to incorporate the Thomaston Street Railway Company.

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

SECT. 1. Atwood Levensaler, Edward E. O'Brien, John C. Levensaler, C. S. Smith, E. K. O'Brien, Silas W. Masters, Niven C. Mehan, William H. Hatch, George Elliott and Levi Seavey, all of Thomaston, Knox county, Maine, their associates, successors and assigns, are hereby constituted a corporation by the name of the Thomaston Street Railway Company, with authority to construct, maintain and use, a street railway, to be operated by steam, electricity or animal power, with convenient single or double tracks, side tracks, switches or turnouts, with any necessary or convenient lines of poles, wire, appliances and appurtenances and conduits, from such points in said town of Thomaston, upon and over such streets therein, as shall, from time to time, be fixed and determined by the municipal officers of the town of Thomaston, and assented to in writing by said corporation, to the boundary lines between said town of Thomaston and the city of Rockland, in said Knox county, and thence upon and over such streets, town and county roads in said town of Thomaston and said city of Rockland, as, from time to time, may be fixed and determined by the municipal officers of said town of Thomaston and said Rockland, and assented to in writing by said corporation ; said corporation shall also have authority to construct, maintain and use said railroad over and upon any lands where the land damages have been mutually settled

Corporators.

Corporate name.

Authorized to
construct a rail-
way.

—location and
route shall be
fixed by municipal
officers,
and assented to
by corporation.

—land damages
to be first
settled.

CHAP. 323

by said corporation and the owners thereof; provided, however, that all tracks of said railroad shall be laid at such distances from the sidewalks of said town, as the municipal officers thereof, respectively, shall, in their order fixing the routes of said railroad, determine to be for public safety and convenience. The written assent of said corporation to any vote or votes of the municipal officers of said town or said city, prescribing, from time to time, the routes of said railroad, shall be filed with the respective clerks of said town and city, and shall be taken and deemed to be the location thereof. Said corporation shall have power, from time to time to 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.

—assent of corporation to votes of municipal officers, to be filed with town clerks.

—may fix rates.

Municipal offices shall regulate rate of speed and removal of snow and ice.

SECT. 2. The municipal officers of said town and city shall have power, at all times, to make all such regulations as to the 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 tracks of said railroad within said town, as the public convenience and safety may require.

Board of directors.

SECT. 3. All acts required by this act to be done by said corporation, may be delegated by said corporation to its board of directors.

Corporation shall keep streets in repair.

SECT. 4. Said corporation shall keep and maintain in repair, such portions 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 town and city, may be rendered necessary by the occupation of the same by said railroad, and if not required upon reasonable notice, such repairs may be made by said town at the expense of said corporation.

Penalty for obstructing corporation.

SECT. 5. If any person shall wilfully and maliciously obstruct said corporation in the use of its roads or tracks, or the passing of the cars or carriages of said corporation thereon, such persons, 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.

SECT. 6. The capital stock of said corporation shall not exceed fifty thousand dollars, to be divided into shares of one hundred dollars each.

Capital stock.

SECT. 7. Said corporation shall have the power to lease, purchase or hold such real or personal estate as may be necessary and convenient for the purposes and management of said railroad.

May hold real estate.

SECT. 8. Said railroad shall be constructed and maintained in such form and manner, and with such rails and upon such grade, as the municipal officers of said town and city may direct; and whenever, in the judgment of said corporation, it shall be necessary to alter the grade of any street, town or county road, 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 town and city; but said corporation shall not be liable to any abutting land owners for any such alteration of grade. If the tracks of said corporation's railroad cross any other railroad of any kind, in said town or city, and a dispute arises in any way in regard to the manner of crossing, the board of railroad commissioners of the state, shall, upon hearing, decide and determine in writing, in what manner the crossing shall be made, and it shall be constructed accordingly.

Construction and grade under direction of municipal officers.

Railroad commissioners shall determine manner of crossing other railroads.

SECT. 9. Said corporation may change the location of said railroad, at any time, by first obtaining the written consent of the municipal officers of said town or city, respectively, and make additional locations subject to the foregoing provisions and conditions.

May change location, by consent of municipal officers.

SECT. 10. Nothing in this act shall be construed to prevent the proper authorities of said town or city, respectively, from entering upon and taking up any of the streets, town and county roads, occupied by said railroad, for any purpose for which they may now lawfully take up the same.

Control of streets left to towns.

SECT. 11. No other corporation or person shall be permitted to construct or maintain any railroad, for similar purposes over the same streets, roads or ways, that may be lawfully occupied by this corporation; but any person or corporation lawfully operating any horse railroad, to any point to which this corporation's tracks extend, may enter upon, connect with and use the same, on such terms and in such manner as may be agreed upon between the parties, or

Exclusive right granted corporation.

—authorized to connect with other roads.

CHAP. 324

Exception to exclusive right. if they shall not agree, to be determined by the railroad commissioners of the state of Maine. The exclusive part of this section shall not be construed to apply to the Rockland Street Railway Company.

Not deemed a railroad.

SECT. 12. Said road shall not be taken or deemed to be a railroad within the meaning of that term, as used in the public laws of this state, but shall have all the rights and be subject to all the liabilities of horse railroads within this state.

May issue bonds and mortgage property.

SECT. 13. Said corporation is hereby authorized to issue bonds in such amount and on such time as it may from time to time determine, in aid of the purposes specified in this act, and to secure the same by a mortgage of its franchises and property. It is also hereby authorized to lease all of its property and franchises, upon such terms as it may determine.

—lease property, etc.

First meeting, how called.

SECT. 14. The first meeting of said corporation shall be called in the manner provided in the Revised Statutes, chapter forty-six, section three.

SECT. 15. This act shall take effect when approved.

Approved February 5, 1889.

Chapter 324.

An Act to amend "An Act to incorporate the Eastern Steamboat Company."

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

Sec. 2, ch. 412, Private Laws of 1868, amended.

That section two of chapter four hundred and twelve of the private laws of eighteen hundred and sixty-eight, be amended so as to read as follows :

Capital stock and assessments thereon.

'SECT. 2. The capital stock of said corporation shall not be less than fifty nor more than one thousand five hundred shares of one hundred dollars each, and any person subscribing shall be personally liable to pay the assessments thereon, not exceeding one hundred dollars per share.'

Approved February 8, 1889.