

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.

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SIXTY-FOURTH LEGISLATURE

OF THE

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1889.

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

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

Chapter 346.

An Act to incorporate the Rockland Street Railway Company.

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

SECT. 1. William S. White, Edwin H. Lawry, William W. Case, Charles A. Crockett, Nathan F. Cobb, Fred H. Berry and William T. Cobb, all of Rockland, Knox county, Maine, their associates, successors and assigns, are hereby constituted a corporation by the name of the Rockland Street Railway Company, with authority to construct, maintain and use a street railway, to be operated by 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 city of Rockland, upon and over such streets therein, as shall, from time to time, be fixed and determined by the municipal officers of the said city of Rockland, and assented to in writing by said corporation, to the boundary lines between said city and the towns of Camden, Thomaston and South Thomaston, in said Knox county, and thence upon and over such streets, town and county roads in said towns of Camden, Thomaston and South Thomaston, as, from time to time, may be fixed and determined by the municipal officers of said towns of Camden, Thomaston and South Thomaston, and assented to in writing by said corporation, to such point or points in said towns of Thomaston and South Thomaston, as may in like manner, from time to time, be fixed and determined by the municipal officers of said towns, 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 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 city and towns, 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 city, or either of said towns, prescribing, from time to time, the routes of said railroad, shall be filed with the respective clerks of said towns, and

Corporators.

Corporate name.

—authorized to construct a railway.

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

—land damages, to be first settled.

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

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—may fix rates.

shall be taken and deemed to be the locations 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.

Municipal officers may regulate rate of speed, removal of snow and ice.

SECT. 2. The municipal officers of said city and towns, respectively, 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 city or towns, as the public convenience and safety may require.

Powers may be exercised by 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 city and 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 city or towns, respectively, 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 road 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.

Capital stock.

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

May hold real estate.

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.

Construction and grade, under direction of municipal officers.

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 city and

towns, respectively, 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 city and towns, respectively; but said corporation shall not be liable to any abutting land owners for any alteration of grade. If the tracks of said corporation's railroad cross any other railroad of any kind, in said city, or in either of said towns, 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.

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 city and towns, respectively, and to 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 city and towns, 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 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 Thomaston Street Railway Company.

Exclusive right, granted to corporation.

—authorized to connect with other roads.

—exception to exclusive right.

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.

Not deemed a railroad.

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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.

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.

Limitation.

SECT. 15. This act shall not be held to apply to so much of the town of Camden, as lies north of the intersection of Camden street with the old county road, at or near the Clam Cove school house in said Camden.

SECT. 16. This act shall take effect when approved.

Approved February 12, 1889.

Chapter 347.

An Act to incorporate the Northern Construction Company.

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

Corporators.

SECT. 1. A. F. Crockett, George P. Wescott, Edward C. Hersey, and their associates, successors and assigns, are hereby made a corporation by the name of the Northern Construction Company, for the purpose of carrying on the business of building, constructing and equipping lines of railroad, with the right to operate the roads so built and constructed, so long as may be found necessary for this company so to do, under the terms and conditions contained in their respective charters. Said corporation shall have the right to purchase, manufacture and deal in all kinds of machinery, materials and appliances deemed necessary or proper for the construction, equipment and operation of railroads, together with all patents, inventions and licenses appertaining to the same, with power to hold by purchase, or may otherwise acquire the bonds, stocks, securities and other property of railroads constructed or equipped by this company. Said corporation may purchase or take and hold the stock and bonds of any other company as collateral security for any

Corporate
name.

--purpose.

--may hold
stock and bonds
of other corpo-
rations.