

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

OF THE

## SIXTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1889.

---

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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.

---

**Chapter 374.**

An Act to incorporate the Bath Street Railway Company.

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

SECT. 1. Galen C. Moses, Fritz H. Twitchell, Albert H. Shaw, Thomas W. Hyde, George Moulton, Jr., James W. Wakefield, all of Bath, Sagadahoc county, Jacob S. Winslow of Portland, Cumberland county, and Wm. W. Case of Rockland, Knox county, Maine, their associates, successors and assigns, are hereby constituted a corporation by the name of the Bath 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 Bath, upon and over such streets therein, as shall from time to time be fixed and determined by the municipal officers of said city of Bath, and assented to in writing by said corporation, the same to be within the limits of the city. Said corporation shall also have authority to construct, maintain and use said railroad over and upon any lands when 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, 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, prescribing from time to time the routes of said railroad, shall be filed with the clerk of said city, and 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.

SECT. 2. The municipal officers of said city, shall have power at all times, to make 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

Corporators.

—corporate name.

—authorized to construct a street 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 city clerk.

—may fix rates.

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

CHAP. 374

use of the tracks of said railroad within said city, 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, 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, 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, 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, may direct; and whenever in the judgment of said corporation, it shall be necessary to alter the grade of any street, 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; but said corporation shall not be liable to any abutting land owners for any such alteration of grade.

Railroad commissioners shall determine manner of crossing with other railroads.

If the tracks of said corporation's railroad cross any other railroad of any kind, in said 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.

CHAP. 374

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 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 from entering upon and taking up any of the streets, occupied by said railroad, for any purpose for which they may now lawfully take up the same.

Control of streets left to city.

SECT. 11. No other corporation or person shall be permitted to construct or maintain any railroad for similar purposes, over the same streets 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.

Exclusive right granted to corporation.

—authorized to connect with other roads.

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.

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.

May issue bonds, and mortgage property.

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

First meeting, how called.

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