

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

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

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

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BURLEIGH & FLYNT, PRINTERS TO THE STATE.  
1889.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

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**Chapter 390.**

An Act to incorporate the Eliot Library Association.

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

SECT. 1. The Eliot Library Association of Eliot, in the county of York, a voluntary association now existing in said town of Eliot, is hereby incorporated and made a body corporate, under the same name, with the power to take by purchase, bequest or otherwise, and to hold, transfer and convey real and personal property to the amount of one hundred thousand dollars, subject to the rights and duties prescribed in chapter fifty-five of the Revised Statutes of this state.

Association made a body corporate.

—may hold real estate.

SECT. 2. This act may be accepted at any regular meeting of said Eliot Library Association, by a vote of a majority of the members present.

When act may be accepted.

SECT. 3. This act shall take effect when approved.

Approved February 19, 1899.

**Chapter 391.**

An Act to incorporate the Ellsworth Street Railway Company.

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

SECT. 1. Eugene Hale, E. H. Greely, George H. Grant, their associates and successors, are hereby incorporated into a corporation, by the name of the Ellsworth Street Railway Company, for the purpose of building, constructing, maintaining and operating by animal or electrical power, a railway for passenger and freight transportation, with such single or double tracks, side tracks, switches, turnouts, stations and appurtenances, and with such poles, wires, appliances and appurtenances as may seem advisable and desirable to said company, between such points within the limits of the city of Ellsworth, and in, across, along and over such streets therein as may be assented to in writing by the mayor and aldermen of said city, at any meeting thereof, upon petition of said company. Said railway shall be of a gauge not to exceed five feet, and the land occupied by said company for

Corporators.

Corporate name.

—purposes.

—gauge.

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its main track lines, exclusive of turnouts, switches, side tracks, stations or appurtenances, shall nowhere exceed four rods in width. Said company shall have power from time to time, to fix such rates of compensation for transportation as it may think expedient, and in general shall have and enjoy all the powers and privileges incident to or usually granted to similar corporations.

May fix rates.

May occupy lands.

—file plans of location in registry of deeds.

SECT. 2. Said company shall further have power to occupy any lands reasonably necessary for its tracks, switches, turnouts, stations, appurtenances or appliances, and excavate or construct in, through or over such lands to carry out its purposes. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds in said county of Hancock, plans of such location and lands, and within thirty days thereafter publish notice thereof in some newspaper in said county, such publication to be continued three weeks successively.

Damages, how ascertained.

SECT. 3. For the purpose of determining the damages to be paid for such location, occupation and construction, the land owner or said company may, within three years after the filing of plans of location, apply to the commissioners of said county and have such damages assessed as is provided by law in cases wherein land is taken for railroads so far as the same is consistent with provisions of this charter, and where inconsistent or at variance with this charter, the charter shall control. If the company shall fail to pay such land owner, or deposit for his use with the clerk of the county commissioners such sum as may be finally awarded as damages with costs, within ninety days after final judgment, the said location shall be thereby invalid and the company forfeit all rights under the same. If such land owner secures more damages than were tendered by said company he shall recover costs, otherwise the company shall recover costs. In case the said company shall begin to occupy such lands before the rendition of final judgment, the land owner may require said company to file its bond to him with the county commissioners in sum and with such sureties as they approve, conditioned for said payment or deposit. Failure to apply for damages within said three years by the land owner shall be held to be a waiver of the same. No action shall be brought against said company for such taking and

—failure to apply for damages held as waiver of same.

occupation of lands until after such failure to pay or deposit as aforesaid.

SECT. 4. The capital stock of said company shall be fixed at the first meeting of said company, with the right to increase up to one hundred thousand dollars and shall be divided into shares of five dollars each.

Capital stock.

SECT. 5. Said company for all its said purposes may hold real and personal estate sufficient, necessary and convenient therefor.

May hold real estate.

SECT. 6. Said company may issue its bonds for the construction of its works, maintenance or operation of the same of any or all kinds, upon such rates and terms as it may deem expedient not exceeding the sum of one hundred thousand dollars and secure the same by mortgage of any property and franchise of the company.

May issue bonds, and mortgage property.

SECT. 7. The mayor and aldermen of said city of Ellsworth shall have power at all times to make all such regulations as to rates of speed, removal of snow and ice, keeping in repair that portion of the streets between the rails and adjacent to them outside and the mode of use of the tracks of said company within said city, as the public safety and convenience may require.

Rate of speed, removal of snow and ice, shall be under conditions imposed by municipal officers.

SECT. 8. The first meeting of said company shall be called by a written notice signed by any one corporator above named, stating the time and place of meeting served upon the other corporators above named either personally or by leaving the same at the last and usual place of abode of each, at least seven days before the time of such meeting, or said first meeting may be called by a written notice signed by any one corporator above named stating the time and place of meeting published in the Ellsworth American, a newspaper printed and published at Ellsworth, Maine, at least seven days before the time of such meeting. In either case the certificate of the signer of the notice shall be sufficient proof as to the service or publication of the notice.

First meeting, how called.

SECT. 9. This act shall take effect when approved.