

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

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1889.

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February 18, 1840, and March 16, 1842.

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1889.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

CHAP. 522

July, in the year of our Lord one thousand eight hundred and ninety-one, this act shall be null and void so far as it relates to any part of said line or railway then not constructed; and no part of the railway authorized by this act shall be operated for the carriage of freight or passengers until that part of said railway between the railway of the International Railway Company of Maine and the terminus at or near the Forks, shall be completed and ready for operation.

Reasons for
granting
charter.

SECT. 11. This charter is granted because the objects sought to be accomplished, cannot be fully attained and accomplished under the general laws for the formation of railroad companies.

SECT. 12. This act shall take effect when approved.

Approved March 6, 1889

Chapter 522.

An Act to incorporate the Gardiner and Randolph Railroad Company.

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

Corporators.

SECT. 1. Joseph S. Bradstreet, Henry Richards, Philip H. Holmes, Arthur L. Berry, William H. Moore, George W. Heselton, their associates, successors and assigns, are hereby constituted a corporation by the name of the Gardiner and Randolph Railroad Company, with authority to construct, maintain and use a horse railroad to be operated by horse power, with convenient single or double tracks, from such point in the city of Gardiner, upon and over such streets therein, as shall from time to time be fixed and determined by the municipal officers of said city of Gardiner, and assented to in writing by said corporation, to the boundary line between said city and the town of Randolph, and thence upon and over such streets, town and county roads in said town of Randolph as from time to time may be fixed and determined by the municipal officers of said town of Randolph, 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 corpo-

Corporate
name.

Authorized to
construct a
horse railroad.

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

ration and the owners thereof; provided, however, that all tracks of said railroad shall be laid at such distances from the sidewalks of said city of Gardiner and town of Randolph 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 either of said city or town, prescribing from time to time the routes of said railroad, shall be filed with the respective clerks of said city and town 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.

—assent shall be filed with clerks of city and town.

—may fix rates.

SECT. 2. Said railroad shall be operated and used by said corporation with animal or electrical power. The municipal officers of said city of Gardiner and town of Randolph, 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 town, as the public convenience and safety may require.

Road may be operated by animal or electrical power.

—municipal officers may regulate speed, and removal of snow and ice.

SECT. 3. Said corporation shall maintain and keep in repair such portions of the streets or roads as shall be occupied by the tracks of its railroad, and shall make all other repairs of said streets or roads which may be rendered necessary by the occupation of the same by said railroad; and if the cars of said corporation are drawn by animals, excepting when the rails are covered by snow or ice, said corporation shall lay such pavings as may be required by the city council of said city, or municipal officers of said town. 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, or of any obstructions by them placed in the streets or roads of said city or town, and shall save and hold said city and town harmless from any suits for such loss or damage. Said corporation shall not cut, injure or destroy any shade trees in said streets or roads.

Shall keep streets, occupied by it, in repair.

—liability, for loss or damage

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Penalty for obstructing road.

SECT. 4. If a person shall wilfully and maliciously obstruct said corporation in the use of its roads or tracks, or in 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.

Capital stock.

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

May lease real estate.

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

Municipal officers, shall prescribe rail and grade.

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 city and town, 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, 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 town, respectively. If the tracks of said company's railroad cross any other railroad of any kind, in either said city or town, 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.

—manner of crossing other railroads, shall be determined by commissioners.

Municipal authorities, shall retain control of streets.

SECT. 8. Nothing in this act shall be construed to prevent the proper authorities of said city and town, 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.

May issue bonds.

SECT. 9. Said corporation is hereby authorized to issue bonds for the purpose of constructing its railroad, or for money which it may borrow for any purpose sanctioned by law; but the bonds so issued shall not exceed the amount of capital stock.

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SECT. 10. No other corporation or person shall be permitted to construct or maintain any railroad for similar purposes, over the same streets as may be lawfully occupied by this corporation, but any person or corporation lawfully operating any horse or electrical 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.

--exceptions.

SECT. 11. The original location of the route when granted shall be for the term of twenty-five years. The same may be renewed from time to time.

Location, shall be for twenty-five years.

SECT. 12. The first meeting of said corporation may be called by any two of said corporators giving actual notice in writing to their several associates, and said corporation may make such by-laws as are proper, and not contrary to the laws of the state.

First meeting, how called.

SECT. 13. 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.

Shall not be deemed a railroad.

SECT. 14. This road shall be constructed and completed within four years from the approval of this act, otherwise the charter shall be void.

When act becomes void.

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

Approved March 7, 1880.

Chapter 523.

An Act to supply the people of the town of Sullivan with pure Water.

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

SECT. 1. Clyde D. V. Hunt, William O. Emery, Leroy S. Carter, their successors and assigns are hereby made a corporation under the name of the Sullivan Harbor Water Company for the purpose of supplying the town of Sullivan, in the county of Hancock, Maine, and the inhabitants of said town, except that portion of said Sullivan, known as Waukeag

Corporators.

--corporate name.

--purposes.