

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

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1891.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

Chapter 253.

An Act to incorporate the Waldo Street Railway Company.

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

SECT. 1. C. B. Hezeltine, J. G. Brooks, A. A. Howes, William B. Swan, J. H. Quimby, Nathan F. Houston, Charles Baker and J. H. Howes, of Belfast, in the county of Waldo, Samuel E. Shepherd and Herbert L. Shepherd, of Rockport, and E. K. O'Brien, of Thomaston, in the county of Knox and state of Maine, their associates, successors and assigns, are hereby constituted a corporation by the name of Waldo Street Railway Company, with authority to construct, maintain and use a street railroad to be operated by electric or animal power, with convenient single or double tracks, side tracks, switches and turnouts, with any necessary or convenient lines of poles, wire appliances, appurtenances and conduits, from and to such points in the town of Stockton Springs, through the town of Searsport, the city of Belfast and the towns of Northport and Lincolnville, to the line between the towns of Camden and Lincolnville, upon and over such streets in the said towns and city as shall from time to time be fixed and determined by the municipal officers of the said several towns and city aforesaid and assented to, in writing, by said corporation ; and also shall have authority to construct, maintain and use said railroad, over and upon any land of private owners where consent is obtained and damages paid or released ; provided, however, that all tracks of said railway shall be laid at such distances from the sidewalks of said towns and city, as the municipal officers thereof shall, in their orders fixing the routes of said railway, 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 towns and city, prescribing from time to time the routes of said railway, shall be filed with the clerks of the said several towns and city, and shall be taken and deemed to be the location thereof, which shall not afterwards be changed except by the mutual consent of the municipal officers of said city and towns and the corporation. Said corporation shall have power from time to time to fix such rates of compensation for transportation of persons and property as it may think expedient ; to issue bonds and secure the same by mortgage of its franchise

Corporators.

—corporate name.

—authorized to construct a street railroad.

—route.

—may construct line upon streets, as determined by municipal officers.

—may maintain lines over private land.

—written assent of corporation to vote of municipal officers, shall be filed with town and city clerks.

—may fix rates.

—issue bonds and mortgage property.

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and property; also it is authorized to lease all of its property and franchises upon such terms as it may determine, and in general 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; the rights of said corporation in laying its rails and maintaining its road, shall be no more than are, or may be granted by the municipal officers of said city and towns; and in the matter of keeping in repair that portion of the roads between the rails and adjacent to them outside, the corporation shall be limited and bound by the restrictions and conditions imposed by the said city and towns at the time of granting the licenses. Said corporation shall at all times maintain a suitable conveyance for passengers at reasonable hours and when not expedient to operate said road by electricity, its cars shall be propelled by animal power.

—repairs, shall be conditions imposed by municipalities.

—when road shall be operated.

Capital stock.

SECT. 2. The capital stock of said corporation shall not exceed five hundred thousand dollars, and shall be divided into shares of one hundred dollars each.

May hold real estate.

SECT. 3. Said corporation shall have power to lease, purchase and hold such real estate or other property, as may be necessary and convenient for the purposes and management of said railway.

Control of streets by municipal authorities shall not be restricted.

SECT. 4. Nothing in this act shall be construed to prevent the proper authorities of said city and towns from entering upon and taking up any of the streets occupied by said railway for any purpose, for which they might now lawfully take up the same.

Penalty, for obstructing corporation.

SECT. 5. If any person shall willfully 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 person and any person 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.

City and towns may regulate rate of speed, and removal of ice and snow.

SECT. 6. The said city and towns shall have power at all times to make such regulations as to rate of speed, and removal of ice and snow from the streets, roads and highways by said company, at its expense, and mode of use of tracks of said railway, within said city and towns, as public convenience and safety may require.

Form and manner of construction,

SECT. 7. Said railway shall be constructed and maintained in such form and manner, and with such rails, and upon such

grade, as the municipal officers of the said city and towns shall prescribe and direct; and any grade may be changed from time to time, by the said several municipal officers, and said company shall conform thereto, and changes of grade shall be made at the sole expense of the corporation; and whenever, in the judgment of said corporation, it shall be necessary to alter the grade of any street occupied by its railroad, said alterations may be made at the expense of said corporation, if the change shall be assented to by the several towns and city in which the change is to be made. If the tracks of the said company's railroad cross any other railroad at any time and a dispute arises in any way in regard to the manner of crossing, the board of railroad commissioners of this state shall, upon hearing, decide and determine, in writing, in what manner the crossing shall be made, and it shall be constructed accordingly.

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rails and grade shall be prescribed by municipal officers.

—manner of crossing other railroads determined by R. R. Commissioners.

SECT. 8. No other corporation or person shall be permitted to construct or maintain any railroad for similar purposes, over the same streets or ways that may be lawfully occupied by this corporation; but any person or corporation lawfully operating any street 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 rights, granted.

SECT. 9. 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. 10. This act shall take effect when approved.

Approved March 19, 1891.

Chapter 254.

An Act to incorporate the Mousam Water Company.

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

SECT. 1. R. W. Lord, Sidney T. Fuller, Frank M. Ross, Charles R. Littlefield, Walter L. Dane, Joseph A. Titcomb and W. F. Moody, with their associates and successors, be

Corporators.