

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1893.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1893.

and he shall proceed to collect the same in the same manner, and by the same means, as now provided by law for collection of taxes on real estate.'

CHAP. 484

Approved March 9, 1893.

Chapter 484

An Act to make valid certain doings of the town of Skowhegan at its annual town meeting held March six, eighteen hundred ninety-three.

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

SECT. 1. The election of the moderator and his acts in that capacity, at the annual town meeting held in Skowhegan on the sixth day of March, in the year of our Lord eighteen hundred ninety-three, to which position he was elected by acclamation, are hereby made valid, and the doings of said meeting are hereby made legal, the same as though said moderator had been elected by ballot.

Doings of town of Skowhegan, made valid.

SECT. 2. This act shall take effect when approved.

Approved March 10, 1893.

Chapter 485.

An Act to incorporate the Pemaquid, Damariscotta and Newcastle Street Railroad Company.

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

SECT. 1. W. E. Lewis, W. S. Brainerd, W. S. Fuller, George W. Ellis, Eugene Sproul, Augustus Fossett, Robert H. Oram, Alvin A. Fossett, Arad Fossett, H. M. Heath, O. A. Tuell, H. H. Chaubertlain, F. H. Boynton, J. E. Nichols, and W. F. Sawyer, their associates, successors and assigns, are hereby constituted a corporation by the name of the Pemaquid, Damariscotta and Newcastle Street Railroad Company, with authority to construct, maintain and use a street railroad to be operated by horse power or electricity, with convenient single or double tracks, side tracks, switches or turnouts, with any necessary or convenient lines of poles, wires, appliances, appurtenances, or conduits from or

Corporators.

—corporate name.

—authorized to construct a street railroad.

CHAP. 485

—route.

—location, shall be fixed by municipal officers.

—assent to location, shall be filed with town clerk.

—may fix rates for transporting passengers, etc.

Municipal officers, may regulate speed, removal of snow, etc.

Shall keep in repair, such portion of streets as it occupies.

near the Damariscotta and Newcastle depot of the Maine Central Railroad Company in the town of Newcastle, over the navigable tide waters of the Damariscotta river between the said towns of Damariscotta and Newcastle, upon and over the stage road, so called, leading from said depot to Pemaquid Point in the town of Bristol, and from and to such other points and upon and over such other streets and ways in the said towns of Newcastle, Damariscotta and Bristol as shall from time to time be fixed and determined by the municipal officers of said towns and assented to in writing by said corporation, and 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 in any of said towns as the municipal officers thereof shall, in their order fixing the routes and locations of said railroad, determine to be for public safety and convenience. The written assent of said corporation to any vote of the municipal officers of either of said towns, prescribing from time to time, the routes of said railroad therein, shall be filed with the clerk of said town and shall be taken and deemed to be the location thereof. Said corporation shall have power, from time to time, to fix such rates of compensation for transporting persons and property as it may think expedient, and 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 towns shall have power, at all times, to make all regulations as to the rate of speed, the removal of snow and ice from the streets, roads and ways by said company at its expense, and mode of use of tracks of said railroad within each of said towns as public convenience and safety may require.

SECT. 3. Said corporation shall keep and maintain in repair such portions of the streets and ways as shall be occupied by the tracks of said railroad, and shall make all other repairs of said streets, roads and ways within either of said towns which in the opinion of the municipal officers of said town 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 town at the expense of said corporation.

SECT. 4. If any person shall willfully or maliciously obstruct said corporation in the use of its roads or tracks or the passing of the cars or carriages of said corporation thereon, such person and all who shall aid or abet therein, shall be punished by a fine not exceeding two hundred dollars or with imprisonment in the county jail for a period not exceeding sixty days.

Penalty, for obstructing corporation.

SECT. 5. The capital stock of said corporation shall not exceed three hundred thousand dollars, to be divided into shares of one hundred dollars each.

Capital stock.

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

May hold real estate.

SECT. 7. Said railroad shall be constructed and maintained in each of said towns, in such form and manner and with such rails and upon such grade as the municipal officers of said town shall direct, and whenever in the judgment of the said corporation it shall be necessary to alter the grade of any street or way, said alterations may be made at the sole expense of said corporation, provided the same shall be assented to by the municipal officers of the town wherein the said grade so sought to be changed is located. And said corporation shall not be liable to any abutting land owners for any such alteration of grade. If the tracks of said corporation'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.

Municipal officers, shall prescribe rails and grade.

—shall not be liable to abutting landowners, for change of grade.

—railroad commissioners, shall prescribe manner of crossing other railroads.

SECT. 8. Said corporation may change the location of said railroad at any time by first obtaining the written consent of the municipal officers of the town in which the change is so sought to be made, and to make additional locations subject to the foregoing provisions and conditions.

May change location, by consent of municipal officers.

SECT. 9. Nothing in this act shall be construed to prevent the proper authorities of either of said towns from entering upon and taking up any of the streets or ways in either of said towns, occupied by said railroad for any purpose for which they may lawfully take up the same.

Towns, shall always retain control of streets.

CHAP. 486

Exclusive rights, granted.

—other railroads, may connect with.

May issue bonds and mortgage property.

First meeting, how called

When charter shall be null.

SECT. 10. 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 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 for the state of Maine.

SECT. 11. Said corporation is hereby authorized to issue bonds in such amount and on such time as may from time to time, be determined, 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.

SECT. 12. The first meeting of said corporation may be called by any two of said incorporators 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.

SECT. 13. This charter shall be null and void unless operation for building this railroad shall have been actually commenced within two years from date of the passage of this act.

SECT. 14. This act shall take effect when approved.

Approved March 10, 1893.

Chapter 486.

An Act to incorporate the Union Water Company.

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

Corporators.

—corporate name.

—authorized to supply water.

SECT. 1. Fred A. Alden, B. Burton, O. A. Burkett, L. R. Morse, C. I. Burrows, all of Union, and C. M. Walker of Rockland, in Knox county, their associates, successors and assigns, are hereby incorporated by the name of the Union Water Company, for the purpose of supplying the village of Union, in the county of Knox, and the inhabitants of said Union with pure water for industrial, manufacturing, domes-