

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-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

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.
1893.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1893.

CHAP. 582

Penalty.

SECT. 2. Any person who violates the provisions of this act shall be punished by a fine of not exceeding twenty-five dollars, or in default thereof, by imprisonment of not less than ten nor more than thirty days.

How recovered.

SECT. 3. The fines and penalties provided by this act may be recovered on complaint before any trial justice in Aroostook county, Maine.

Approved March 27, 1893.

Chapter 582.

An Act to incorporate the Kittery and York Electric Railroad Company.

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

Corporators.

SECT. 1. Frank E. Rowell, Horace Mitchell, Calvin L. Hayes, Clarence M. Prince, Jethro H. Swett, Samuel E. Jennison, Charles F. McClure, John E. Norwood, Wilson L. Hawkes and Orville D. Baker, their associates and successors, be and they are hereby incorporated and made a body politic by the name of the Kittery and York Electric Railroad Company, for the purpose of constructing and operating street railways.

Corporate name.

Capital stock.

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

Authorized to construct railway.

SECT. 3. The company shall have the right from the going into force of this act, of constructing, maintaining and operating a line or lines of single or double track railway, with the necessary side tracks, switches and turnouts, and other appliances for operating its cars upon and along such streets, roads or highways within the towns of Kittery and York, in the county of York, as they may deem practicable, subject to the approval of the municipal officers of either of said towns.

Route.

Authorized to operate ferry.

SECT. 4. The company is hereby authorized to carry on and operate a steam ferry for the purpose of conveying its cars, together with passengers, freight and teams or carriages across the Piscataqua river between said Kittery and Portsmouth in the state of New Hampshire, commencing at some convenient point between the end of the navy yard bridge,

Route.

in the navy yard village, so called, in said Kittery and the end of Portsmouth bridge, and this company is hereby authorized to collect and enforce reasonable tolls for all the above purposes. And instead of operating a steam ferry across said Piscataqua river, said company is hereby authorized to lay its tracks along and over such portion of said Portsmouth bridge as lies within the state of Maine, and operate its cars over the same, provided, satisfactory arrangements can be made with the Portsmouth Bridge Company for that purpose.

Tolls.

Authorized, to lay tracks across Portsmouth bridge.

SECT. 5. Said company is hereby authorized to construct and maintain a railroad bridge with a suitable draw so as not to unnecessarily obstruct navigation, for the passage of its cars across the tide waters of Spruce creek, so called, in said Kittery, at some convenient points near Kittery point toll bridge, or may carry on and operate a steam ferry for the purpose of conveying its cars, together with passengers, freight, teams and carriages across said Spruce creek, over tide waters, between convenient points near said Kittery point toll bridge, and this company is hereby authorized to collect and enforce reasonable tolls for the above purposes; but instead of constructing and maintaining a railroad bridge, or carrying on and operating a steam ferry thereat, said company shall be authorized to lay its tracks along and over said Kittery point toll bridge and operate its cars over the same, provided, satisfactory arrangements can be made with the Kittery Point Bridge Company for that purpose.

Authorized, to construct a railroad bridge across Spruce creek.

location.

—tolls.

—may maintain steam ferry instead of building bridge.

SECT. 6. Said company shall be authorized to lay its tracks along and over any bridge in either of said towns of Kittery and York, now constructed or that shall hereafter be constructed by either of said towns across tide waters, with the consent of municipal officers first obtained and operate its cars over the same.

Authorized, to lay tracks over any bridge in towns of Kittery and York.

SECT. 7. The company is hereby authorized to drive the piles deemed necessary by its managers, for slips, wharves and buildings, to be used in connection with the ferries, upon such privileges as it may buy, lease or in any way receive and occupy for landings in said Kittery. And the company may purchase and hold or lease real estate in said towns of Kittery and York, for railway purposes, and also for the purpose of slips, wharves and waiting rooms, to the amount deemed necessary by the directors. And in case the

Authorized, to build slips and wharves.

—may hold real estate.

CHAP. 582

—damages for land, how assessed.

company is unable to agree with the owners of the land required under this section, and necessary for the convenience of the company, the York county commissioners shall have power to take the land, devote it to the purposes required for the company, and assess the damages therefor in the same manner and with the same powers as in laying out highways, subject to the same rights of appeal on the parts of land owners.

May operate with animal or electrical power.

SECT. 8. Said railroad shall be occupied and used by said company with animal or electrical power. The municipal officers of each of said towns shall have power at all times to make all such regulations valid and binding within the limits of their towns only, as to the rate of speed of cars or trains, and the removal of snow and ice from the streets, roads and highways from and alongside of its tracks at the expense of said railway company, as the public convenience and safety may require.

—municipal officers may regulate speed, removal of ice from streets.

SECT. 9. The tracks of said company shall be laid in such parts of the streets, roads or highways as the municipal officers of either of said towns shall direct; and poles may be set at convenient places and distances along the streets, roads or highways over which the tracks of the railroad shall be laid, from which trolley wires may be suspended for the operation of cars by electricity, at such points as the municipal officers may direct.

Laying of tracks and setting of poles, shall be under direction of municipal officers.

Streets shall be kept safe for travel.

SECT. 10. Said road shall be constructed in such form and manner and with such rails and appliances that so much of the streets, roads and ways as are occupied thereby shall be safe and convenient for travelers, and said road shall be liable in an action on the case for any loss or damage which any person may sustain by reason of any failure to comply with this provision.

May cross other railroads, under direction of railroad commissioners.

SECT. 11. The company may lay its tracks across the tracks of any steam railroad, but the manner and terms of the crossing shall be determined by the railroad commissioners before the crossing is made.

Shall keep streets in repair.

SECT. 12. The company shall keep and maintain in repair, such portion of the streets, town or county 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 not repaired upon reasonable notice, such repairs may

be made by the town in which the necessity exists, at the expense of said company, and said town may recover all expenses in an action of money paid for the use of said railroad company. Said company 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 by reason of any defect in so much of said streets or roads as is occupied by said railroad, if such defect arises from neglect or misconduct of the company, its servants or agents.

—liabilities for damage, resulting from carelessness of agents.

SECT. 13. If any person shall willfully and maliciously obstruct said corporation in the use of its road or tracks, or the passing of the cars of said company thereon, such person, and all who shall aid and abet therein, shall be fined not exceeding two hundred dollars, or imprisoned in a county jail not exceeding sixty days.

Penalties for obstructing company.

SECT. 14. Said company may, from time to time, fix such rates of compensation for transporting persons or property, as it may deem expedient, and generally shall have the powers and be subject to all the liabilities of corporations as set forth in the forty-sixth chapter of the revised statutes and amendments thereto.

May fix rates for transporting passengers.

SECT. 15. Said corporation may change the location of said railroad by first obtaining the written consent of the municipal officers of said towns, and make additional locations subject to the foregoing provisions and conditions.

May change location, upon written consent of municipal officers.

SECT. 16. Nothing in this act shall be construed to prevent the proper authorities of said towns from entering upon and temporarily taking up the soil in any street, town or county road occupied by said railroad, for any purposes for which they may now lawfully take up the same.

Towns shall have control of streets.

SECT. 17. No other corporation or persons shall be permitted to construct or maintain any railroad for similar purposes over the same streets, roads or ways, that may be lawfully occupied by this corporation.

Exclusive right, granted.

SECT. 18. Said towns of York and Kittery shall not be liable to pay for any damage to persons or property occasioned by any negligence or fault of said railway during construction.

Towns shall not be liable for damage.

SECT. 19. The directors of this company may, from time to time, raise or borrow for the use and purposes of the company, any sum or sums not exceeding in the whole two hundred thousand dollars, by the issue of bonds or debentures

May issue bonds and mortgage property.

CHAP. 583

in sums of not less than one hundred dollars, on such terms and credit as they may think proper, and may pledge or mortgage all the tools, property, franchise and income of the company or any part thereof, for the repayment of the moneys so raised or borrowed, and the interest thereon, provided, always, that the consent of a majority in value of the stockholders of the company, shall be first had and obtained at a regular or special meeting to be called and held for that purpose.

First meeting,
how called.

SECT. 20. The first meeting of the incorporation under this act, may be called by either of the incorporators giving notice to the others in writing, at least seven days before the time of said meeting, of the time and place of said meeting.

When act shall
be void.

SECT. 21. This act shall be void unless the same shall be accepted by said corporation, and ten per cent of the capital stock thereof, be paid in and expended in the construction of the railroad under this charter, within two years from the time when this act takes effect.

Approved March 27, 1893.

Chapter 583.

An Act to incorporate the Maine Pharmaceutical Association.

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

Corporators.

SECT. 1. Ara Warren, D. W. Haseltine, Charles K. Partridge, Augustus G. Schlotterbeck, Samuel Anderson, Henry H. Hay, J. H. J. Thayer, N. U. Hiukley and George W. Dorr, and all such persons as are now members of an association known as the Maine Pharmaceutical Association, or shall hereafter become members of the same, are hereby constituted a body politic in law and in fact, to have continuance for twenty-five years, by the name of the Maine Pharmaceutical Association, for the purpose of cultivating, improving and making known the principles of pharmacy, its collateral branches of science, and the best modes of preparing medicines and their compounds, and of giving instruction in the same, by public lectures or otherwise, as circumstances shall render advisable ; and may hold real and personal estate to an amount not exceeding twenty thousand dollars.

—corporate
name.

—charter,
limited.

—purposes.