

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## SIXTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

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

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PRIVATE AND SPECIAL LAWS  
OF THE  
STATE OF MAINE.

1893.

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**Chapter 617.**

An Act for the protection of Trout in Alder Stream in the town of Corinna, in the County of Penobscot.

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

SECT. 1. No person shall catch, kill or destroy any trout in Alder stream, in the town of Corinna, in the county of Penobscot, for a term of four years.

Taking of fish in Alder stream for four years, prohibited.

SECT. 2. Any person who shall violate the provisions of this act, shall pay a sum of five dollars, and one dollar for every fish so taken, to be recovered on complaint before any trial justice in Penobscot county, one half to the complainant and one half to the county.

Penalty.

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

Approved March 28, 1893.

**Chapter 618.**

An Act to incorporate the Boothbay Harbor and Newcastle Street Railroad Company, and to authorize the construction of the same across navigable tide waters.

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

SECT. 1. D. H. Moody, Luther Maddocks, A. R. Nickerson, C. J. Marr, James F. Dunton, William E. Reed, John McDougall, Charles W. Cates, John E. Kelley, Eben Chase, B. A. White, John M. Glidden, Elliot Wood, George E. Macomber, P. O. Vickery, and A. D. Bird, their associates, successors and assigns, are hereby constituted a corporation by the name of the Boothbay Harbor 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 any point in Newcastle, connecting with the Maine Central Railroad in said town of Newcastle, through the towns of Edgecomb and Boothbay to some point in the town of Boothbay Harbor, passing over and upon such streets and ways in said towns of Newcastle, Edgecomb, Boothbay and Boothbay Harbor as

Corporators.

Corporate name.

—authorized to construct horse or electric railroad.

—route.

—location shall be determined by municipal officers, and assigned to by corporation.

CHAP. 618

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. Said Boothbay Harbor and Newcastle Street Railroad Company for the purposes and objects of its charter is hereby expressly granted the right to cross the tide waters of Sheepscot river, so called, where vessels can navigate, within the limits of the town of Newcastle, upon any bridge or bridges of said company erected therefor; provided, however, that said railroad company shall not unnecessarily obstruct navigation and that the manner and conditions of its erecting and maintaining any bridge or bridges over said river shall first be determined by the municipal officers of said town of Newcastle. 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.

—authorized to cross tide waters.

—assent to location, shall be filed with clerks of towns.

—may

Municipal officers may regulate speed, and removal of snow and ice.

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.

Shall keep streets occupied by it, in repair.

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 road.

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 the management of said road.

May hold real and personal 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 alteration 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. 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 rail and grade.

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

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, on 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.

Municipal officers, shall retain control of streets.

## CHAP. 619

Exclusive right  
granted.

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.

Issue bonds  
and mortgage  
property.

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.

First meeting  
how called.

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.

SECT. 13. This act shall take effect when approved.

Approved March 28, 1893.

### Chapter 619.

An Act to confirm the organization of the Cumberland Farmers' Club and entitle it to share in the stipend for Agricultural Societies.

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

Club, entitled to  
state stipend.

SECT. 1. The organization of the Cumberland Farmers' Club is hereby confirmed and it is hereby expressly declared and made to be a beneficiary under the law paying annual stipends to agricultural societies, so that it shall receive its share of such stipend under the conditions imposed by law.

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

Approved March 28, 1893.