

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## SIXTY-SEVENTH LEGISLATURE

OF THE

## STATE OF MAINE

1895.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PUBLIC LAWS  
OF THE  
STATE OF MAINE.

1895.

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**Chapter 82.**

An Act additional to the Public Laws of the State of Maine, relating to the illegal killing of Fish and Game.

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

That any person acting as guide for any person or party who shall assist or aid such person or party in killing any game or fish in violation of law, shall be held equally responsible for such violation of the law, and subject to the same penalties.

Guides held responsible for assisting in killing fish and game illegally.

Approved March 12, 1895.

**Chapter 83.**

An Act to repeal chapter one hundred and twelve of the Revised Statutes, relating to Recognizances for Debt.

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

Chapter one hundred and twelve of the revised statutes of eighteen hundred and eighty-three, relating to recognizances for debt, is hereby repealed.

Ch. 112, R. S., repealed.

Approved March 12, 1895.

**Chapter 84.**

An Act amendatory of chapter two hundred and sixty-eight of the Public Laws of eighteen hundred and ninety-three, entitled "An Act to regulate the organization and control of Street Railroads."

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

SECT. 1. Section six of chapter two hundred and sixty-eight of the public laws of eighteen hundred and ninety-three is hereby amended by striking out in the forty-third and forty-fourth lines thereof the words, "subject to the provisions of section nine," inserting after the word "petition" in the forty-fourth and forty-fifth lines thereof the words, "appoint a day for a hearing thereon, and the petitioners shall give such notice thereof as said commissioners deem

Sec. 6, ch. 268 Public Laws of 1893, amended.

CHAP. 84 reasonable and proper, in order that all persons interested may have an opportunity to appear and object thereto. If the board of railroad commissioners, after hearing the petition, shall, subject to the provisions of section nine, approve the proposed location, and find that public convenience requires the construction of such road,' substituting for the words, "endorse their approval thereon," in the forty-fifth line thereof, the words 'it shall endorse its approval on the petition,' and inserting after the word "aforesaid" in the forty-ninth line thereof the words 'and another copy of the same with the board of railroad commissioners,' so that said section as amended, shall read as follows :

Petition for approval of location.

‘SECT. 6. Every corporation organized under the foregoing provisions before commencing the construction of its road shall present to the railroad commissioners a petition for approval of location, defining its courses, distances and boundaries, accompanied with a map of the proposed route on an appropriate scale with the written approval of the proposed route and location as to streets, roads or ways of the municipal officers of the cities and towns in which said railway is to be constructed in whole or in part, and with a report and estimate prepared by a skillful engineer. If the municipal officers upon a written application therefor, neglect for thirty days to approve a route and location as to streets, roads or ways, or if they refuse to approve such a route and location, or if such route and location approved by them is not accepted by the corporation, in either case, said corporation may appeal to the next term of the supreme judicial court to be held in any county where any part of said railway is located, more than thirty days from the expiration of said thirty days or from the date of such refusal, or from the approval of a location that is not accepted by the corporation, as the case may be, excluding the day of the commencement of the session of said court. If said railway is located in two or more counties, the supreme judicial court in either county shall have jurisdiction of any such appellate proceeding. The appellants shall serve written notice of such appeal upon said municipal officers fourteen days at least before the session of said court, and shall at the first term file a complaint setting forth substantially the facts of the case. If the appeal is then entered, and not afterwards, the court shall appoint a committee of

—appeal may be taken to S. J. Court, if for any cause location fails.

—proceedings.

three disinterested persons who shall be sworn, and if one of them dies, declines or becomes interested, the court may appoint some suitable person in his place, and they shall give such notice as the court has ordered, view the proposed route or routes, and location or locations, and make their report at the next term of the court after their appointment, defining therein the route and location as to streets or ways as determined by them, which after acceptance and entry of judgment thereon, shall forthwith be certified to the railroad commissioners and received by them in lieu of the approval of the municipal officers. Costs may be taxed and allowed as the court may order. A failure to appeal shall not bar the corporation from making a new application to the municipal officers. Said commissioners shall, upon presentation of such petition, appoint a day for a hearing thereon, and the petitioners shall give such notice thereof as said commissioners deem reasonable and proper, in order that all persons interested may have an opportunity to appear and object thereto. If the board of railroad commissioners, after hearing the petition, shall, subject to the provisions of section nine, approve the proposed location, and find that public convenience requires the construction of such road, it shall endorse its approval on the petition, and the corporation may then proceed with the construction of such road, provided, that they first file with the clerk of the court of county commissioners of the county in which said street railway is to be located, a copy of the location and plan aforesaid, and another copy of the same with the board of railroad commissioners. Any extension of, addition to or variation from the location by any street railway organized under the provisions of this act may be made in accordance with, and subject to the limitations of the foregoing provisions, provided, that no railway shall be located across tide waters, where vessels can navigate, without special permission of the legislature first obtained. But no road shall be located under this act, over any paved or macadamized street in any city in this state without the permission of the mayor and aldermen thereof.'

Certificate of committee, shall be sent railroad commissioners.

—endorsement of location by R. R. commissioners.

—how changes may be made in location.

—shall not cross tide waters.

SECT. 2. The provisions of this act shall not apply to street railway corporations in cities of fifteen thousand or more inhabitants.

Act shall not apply to cities of 15,000 or more inhabitants.

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