

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE

1895.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1895.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1895.

Chapter 50.

An Act to amend chapter six hundred and thirty-four of the Private and Special Laws of eighteen hundred and ninety-three, relating to the Hampden and Winterport Electric Railway and Light Company.

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

Sec. 1, ch. 634,
Private Laws
of 1893,
amended.

Section one of chapter six hundred thirty-four, private and special laws of eighteen hundred and ninety-three, is hereby amended by striking out the words "Hampden and Winterport Electric Railway and Light Company," in the seventh and eighth lines thereof, and inserting in their place, 'Hampden and Winterport Railway;' and further amended by inserting at the end of the thirty-eighth line after the words "location thereof" the following words: 'Said corporation is hereby granted the right to run passenger and freight cars over its said line and over the tracks of the Bangor Street Railway, so far as it is necessary in order to deliver passengers and freight in the vicinity of West Market Square, Broad and Exchange streets in said Bangor, on such rates of compensation and other terms as may be agreed upon between said corporation and the Bangor Street Railway; but in case said corporations are unable to agree upon such rates of compensation or other terms, then three disinterested persons shall be appointed by the judge of the supreme court, on application of either party, and a hearing shall be had before said commission. Said commission shall be sworn, give notice of the time and place of their meeting, to determine the matter in dispute, and shall make to each party a written final decision of the points submitted, and their services shall be paid in equal proportions by the parties. The Bangor Street Railway is hereby granted the right to run its cars over the line and tracks of said Hampden and Winterport Railway, subject to the terms of arbitration herein provided; provided always, that said Hampden and Winterport Railway shall not run its cars over the tracks of the Bangor Street Railway, and the Bangor Street Railway shall not run its cars over the tracks of the Hampden and Winterport Railway, for the transportation of passengers, other than upon terms mutually agreed upon by said companies, or determined by arbitration, as herein provided;' so that said section as amended, shall read as follows :

SECT. 1. J. Manchester Haynes and George E. Macomber of Augusta, Kennebec county; Henry W. Mayo of Hampden; Henry L. Mitchell and Eugene C. Nichols of Bangor, in Penobscot county; Fred Atwood of Winterport, in the county of Waldo; and H. L. Shepherd of Rockport, in the county of Knox, their associates, successors and assigns, are hereby constituted a corporation by the name of the Hampden and Winterport Railway, with authority to construct, maintain and operate by electricity or animal power, a street railway with convenient single or double tracks, side tracks, switches or turnouts, with all necessary or convenient lines of poles, wires, appliances, appurtenances, conduits and electric plants for motive power and lighting, in and through the towns of Hampden, Winterport, Frankfort, Prospect and Stockton Springs, upon streets and highways to be located by the municipal officers of said respective towns, after the right of way has been granted by the towns, and assented to in writing by said corporation, build and maintain bridges with draws across navigable tide waters in each of said towns upon location and upon terms to be established and made by the county commissioners of the counties in which the bridge is located. Said corporation shall have authority to construct electric light and power plants and maintain and operate said railway upon and over any lands where the land damages have been mutually settled by said corporation and owners thereof; establish and locate electric lights upon streets, furnish lights to individuals and collect pay for the same; provided, however, that all tracks of said railway shall be laid at such distances from the sidewalks of said towns as the respective municipal officers thereof shall in their order fixing the routes of said railway determine to be for the public safety and convenience. The written assent of said corporation to any vote of said towns or of the municipal officers of said towns, prescribing, from time to time, the routes of said railway, shall be filed with the respective clerks of said towns, and the assent to the location of bridges by county commissioners to be filed with the clerk of courts, shall be taken and deemed to be the location thereof. Said corporation is hereby granted the right to run passenger and freight cars over its said line and over the tracks of the Bangor Street Railway, so far as it is necessary in order to deliver passengers and freight in the vicinity of West Market

CHAP. 50

Corporators.

Corporate name.

Authorized to build a street railway.

—route.

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

—may furnish electric light.

—assent shall be filed with town clerk.

May run cars over the tracks of Bangor St. Railway.

CHAP. 51

—rates of compensation, how determined in case of disagreement.

Bangor St. R'y may run cars over line, by mutual agreement.

—may fix rates for passengers and freight.

Square, Broad and Exchange streets in said Bangor, on such rates of compensation and other terms as may be agreed upon between said corporation and the Bangor Street Railway; but in case said corporations are unable to agree upon such rates of compensation or other terms, then three disinterested persons shall be appointed by the judge of the supreme court, on application of either party, and a hearing shall be had before said commission. Said commissioners shall be sworn, give notice of the time and place of their meeting, to determine the matter in dispute, and shall make to each party a written final decision of the points submitted, and their services shall be paid in equal proportions by the parties. The Bangor Street Railway is hereby granted the right to run its cars over the line and tracks of said Hampden and Winterport Railway, subject to the terms of arbitration herein provided; provided always, that said Hampden and Winterport Railway shall not run its cars over the tracks of the Bangor Street Railway, and the Bangor Street Railway shall not run its cars over the tracks of the Hampden and Winterport Railway, for the transportation of passengers, other than upon terms mutually agreed upon by said companies, or determined by arbitration, as herein provided. Said corporation shall have power from time to time to fix such rates of compensation for transporting persons or property as it may think expedient, and generally 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.'

Approved February 21, 1895.