

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE

1899.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA
KENNEBEC JOURNAL PRINT
1899.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1899.

Chapter 136.

An Act to amend the charter of Westbrook, Windham and Harrison Railway Company, to extend the same and to change the name of said company.

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

Charter of railway company revived and extended.

Section 1. The creation and organization of Westbrook, Windham and Harrison Railway Company is hereby ratified, confirmed and declared to be legal and valid and all the provisions of chapter five hundred and nine of the private and special laws of eighteen hundred and ninety-seven relative to the incorporation of Westbrook, Windham and Harrison Railway Company, and all the rights, powers and privileges thereby granted and the limitations therein contained, except as herein-after provided, are hereby revived, renewed, extended and continued in force; and said corporation, its successors and assigns, shall have and enjoy all the rights, powers and privileges that were granted by said act to be exercised in the same manner and for the same purposes as provided in said act as amended by this act.

—powers and privileges.

Name changed.

Section 2. The name of said Westbrook, Windham and Harrison Railway Company is hereby changed to Westbrook, Windham and Naples Railway Company.

Section 1, chapter 509, amended.

Section 3. Section one of said chapter five hundred and nine is hereby amended so as to read as follows:

Corporators.

‘Section 1. John C. Scates, Russell D. Woodman, Charles M. Waterhouse, Charles B. Woodman and James H. Tolman, of Westbrook, in the county of Cumberland, their associates, successors and assigns, are hereby constituted a corporation by the name of Westbrook, Windham and Naples Railway Company, with authority to construct, maintain, use and operate by compressed air, electricity or animal power, a street railway with convenient single or double tracks, side tracks, switches or turnouts, with any and all necessary or convenient lines of poles, wires, appliances, appurtenances, pipes and conduits, and compressor, electric and other plants for motive power, beginning on Main street opposite Bridge street in said city of Westbrook, and thence over the main road leading through said city of Westbrook, by the house of Mark Mosher in Gorham to the village of South Windham, and thence through said town of Windham, the towns of Raymond, Casco, Otisfield and Naples, to some convenient point in said town of Naples, upon and over such streets, town roads and highways in said city and said towns as may be fixed and determined by the municipal officers of said city and of the several towns aforesaid respectively and

—corporate name.

—authorized to operate with compressed air, electricity, or animal power, a street railway.

—route.

—may pass over streets under direction of municipal officers.

assented to in writing by said corporation. Provided, that said line of street railway shall not anywhere go nearer to the village of Gorham than the corner known as Mosher's, and that the cars of no other street railroad company, whether organized or to be organized under the general law or any special charter shall ever be allowed to run over the tracks of this company between its terminal in the city of Westbrook and Mosher's Corner aforesaid; and it is hereby expressly provided that the location of the railway of this company in the main road from Westbrook to Mosher's Corner shall constitute no bar to the location of the tracks of any other company which may derive and obtain the right to locate another street railway in the same main road between Westbrook and Mosher's Corner.

The written assent of said corporation to any vote of said city and of said towns or of the municipal officers thereof, prescribing from time to time, the routes of such railway and the conditions and restrictions applicable to the maintenance and operation of the same shall be filed with the clerk of said city and the clerks of said towns respectively and shall be taken and deemed to be the location thereof. Said railway corporation shall have the 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.'

Section 4. Section four of said chapter five hundred and nine is hereby amended so as to read as follows:

'Section 4. Said corporation outside of the limits of streets, roads or ways may purchase and hold land and all materials upon it for the location, construction and convenient use of its roads and, whenever for any reason the location of such railway within the limits of any street, roads or ways shall be found by the board of railroad commissioners to be impracticable or inconvenient, land and the materials on it outside the limits of streets, roads and ways may be taken and held for the location of said railway, as for public uses, but the land so taken shall not be more than four rods in width, unless necessary for excavations, embankments or materials and the location of said railway upon land taken by virtue of this section shall be filed and the estimation and payment of damages for land so taken shall be made in accordance with the provisions of chapter fifty-one of the revised statutes.'

Section 5. Section twelve of said chapter five hundred and nine is hereby amended by striking out the last sentence thereof, so that said section twelve, as amended, shall read as follows:

CHAP. 136

—limit of approach to Gorham village.

—exclusive right.

—location does not bar other railways.

Assent to location shall be filed with city clerk of Westbrook.

—may fix passenger tariff rates.

Section 4, amended.

May purchase land and material.

—land may be taken, on sanction of railroad commissioners.

—limit.

Section 12, amended.

CHAP. 137

Form of construction, rails and grade shall be approved by municipal officers.

—changes in grade shall be at expense of corporation.

Section 18, repealed.

‘Section 12. Said railway shall be constructed and maintained in such form and manner and with such rails and other appliances as may be deemed necessary by the corporation and may be approved by the municipal officers of said city and said towns respectively, and upon such grades as the municipal officers of said city or towns respectively may direct; and whenever in the judgment of said corporation it shall be deemed necessary to alter the grade of any street, town road or highway, said alteration may be made at the expense of said corporation, provided, the same shall be assented to in writing by the municipal officers of said city or of said towns respectively.’

Section 6. Section eighteen of said chapter five hundred and nine is hereby repealed.

Section 7. This act shall take effect when approved.

Approved March 11, 1899.

Chapter 137.

An Act to incorporate the Patten, Allagash and Northern Railroad Company.

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

Corporators.

Section 1. Albert A. Burleigh, Preston N. Burleigh, Parker P. Burleigh, Everett E. Burleigh, Harry R. Burleigh, Parker C. Newbegin and their associates, successors and assigns, are hereby created a body corporate by the name of the Patten, Allagash and Northern Railroad Company, with all the powers, privileges and immunities, and subject to all the duties and liabilities provided in the general laws respecting railroads, not inconsistent with the express provisions of this act.

—corporate name.

—powers and privileges.

Authorized to construct a railroad.

—route.

Section 2. Said corporation is authorized to survey, locate, construct, maintain, operate, alter and keep in repair a railroad of standard gauge, commencing at and connecting with the Patten and Sherman Railroad at some convenient point in the town of Patten, in the county of Penobscot, and extending in a northwesterly direction by the most feasible route through the counties of Penobscot and Piscataquis to a point on the Allagash river in township ten, range thirteen, a total distance of about seventy miles. Said proposed line passes through the towns of Patten and Mount Chase; unorganized townships six, range six; five and six, range seven; and six, range eight, all in Penobscot county; also, unorganized townships six and seven, range nine; six and seven, range ten; seven and eight, range eleven; seven, eight, nine and ten, range twelve; eight, nine and ten, range thirteen, all in Piscataquis county.