

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## SIXTY-NINTH LEGISLATURE

OF THE

## STATE OF MAINE

1899.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1899.

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**Chapter 157.**

An Act to incorporate the Bluehill and Bucksport Electric Railroad Company.

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

Section 1. Merrill P. Hinckley, A. M. Devereux, Frank P. Merrill, Frank P. Green, Austin T. Stevens, Nahum Hinckley and Rufus P. Grindle, their associates, successors and assigns, are hereby constituted a corporation by the name of the Bluehill and Bucksport Electric 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 line of poles, wires, appliances, appurtenances or conduits, from Bluehill, upon and over any public highway leading from said Bluehill to and through the town of Bucksport and from and to such other points and upon and over such other streets and ways, and across navigable tide waters, in the towns of Bluehill, Penobscot, Orland and Bucksport, as 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. 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.

Corporators.

—corporate name.

—authorized to construct a street railway.

—route.

—location shall be fixed by municipal officers.

—assent of corporation to any vote of towns, shall be filed with town clerk.

—may fix rates of transportation.

Section 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 the manner of use of tracks of said railroad within each of said towns as public convenience and safety may require.

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

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Shall keep streets in repair, occupied by tracks.

Section 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 towns 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 towns at the expense of said corporation.

Penalty for willfully obstructing corporation.

Section 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.

Capital stock.

Section 5. The capital stock of said corporation shall not exceed two hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each.

May hold real estate.

Section 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 management of said road.

Municipal officers may establish form of rails and grade.

Section 7. Said railroad shall be constructed and maintained in each of said towns, in such form and manner and upon such grade and with such rails 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 said grade so sought to be changed is located. If the tracks of said corporation's railroad cross any other railroad, 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.

—manner of crossing another railroad, shall be determined by railroad commissioners.

Location may be changed by consent of municipal officers.

Section 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.

Right of towns shall not be abridged.

Section 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.

Section 10. No other person or corporation 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 or electric 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.

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Exclusive right granted.

—other roads may connect upon terms agreed upon by parties.

Section 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. It is also hereby authorized to lease all of its property and franchises upon such terms as it may determine.

May issue bonds and mortgage property.

Section 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.

First meeting, how called.

Section 13. This charter shall be null and void unless operations for building said railway shall have been actually commenced within two years from the passage of this act.

When charter becomes void.

Section 14. This act shall take effect when approved.

Approved March 15, 1899.

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## Chapter 158.

An Act to amend Chapter seventy-two, Special Laws of eighteen hundred and eighty-seven, in relation to the taking of fish in Nequasset Lake.

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

Chapter seventy-two of the special laws of eighteen hundred and eighty-seven, be and is hereby amended by inserting after the words "Back river" in the eighth line of said section the following; 'nor in the waters of Nequasset lake or the tributaries thereof.' Also by inserting after the word "stream" in the twelfth line of said section the words; 'or in the waters of said lake or its tributaries,' so that said section, as amended, shall read as follows:

Chapter 72, special laws 1887, amended.

'Section 1. No person without license and authority of the town of Woolwich shall, by any weir, hedge, pound, seine, drift net, dip net or other apparatus, device or contrivance take any

Taking of fish in Nequasset stream with