

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

Pickerel and Wayne ponds, situated wholly or partly in the town of Wayne, also all of the lakes or ponds situated in Readfield with the exception of Lake Maranocook, also all of the lakes and ponds situated wholly or partly in the town of Litchfield with the exception of Jimmy pond, so called, also all the lakes and ponds situated on the east side of the Kennebec river in Kennebec county with the exception of Three Mile pond, so called, in China, Windsor and Vassalboro, in which last named pond it shall be lawful to catch pickerel on Saturdays only of each week, also Horseshoe pond in West Gardiner; but nothing in this act shall be construed as permitting ice fishing at any time in Lake Cobbosseecontee, situated partly in Monmouth, Winthrop, Manchester, West Gardiner and Litchfield.'

Approved March 24, 1903.

Chapter 253.

An Act to incorporate the Jonesport Railway Company.

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

Section 1. Edward B. Sawyer, George F. Mansfield, William H. Faulkingham and Fred A. Chandler, their associates, successors and assigns are hereby constituted a corporation under the name of the Jonesport Railway Company, with authority to construct, maintain, equip and operate a line or lines of single or double track railway, to be operated by steam or electricity, with the necessary side tracks, switches and turnouts and other appliances for the passing of cars, carriages or other vehicles upon or along the streets or ways in the towns of Jonesport, Jonesboro, Addison, Columbia Falls, Columbia and Harrington.

Corporators.

—corporate name.

Section 2. Said company shall have authority to extend its railway over the bridge across the navigable tide waters of Indian river in Jonesport and Addison, also over the bridge across the navigable tide waters of Branch stream, in the town of Addison.

May extend its railway over bridges.

Section 3. Said company may purchase and hold or lease real estate in said towns for railway purposes, and also for the purpose of car houses, power houses and waiting rooms, to the amount deemed necessary by the directors. And in case the company is unable to agree with the owners of the land required under this section, and necessary for the convenience of the company, the taking of such land shall be done as provided in chapter fifty-one of the revised statutes.

May acquire lands for railway purposes.

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May use
animal or
electric
power.

—municipal
officers may
regulate
speed of cars,
removal of
snow, etc.

Municipal
officers shall
control laying
of tracks.

Manner of
construction.

Railroad com-
missioners
shall deter-
mine manner
of crossing
railroad
locations.

May lease,
consolidate
with or
acquire other
lines.

Repairs of
streets by the
company.

Section 4. Said railroad shall be occupied and used by said company with animal or electric power. The municipal officers of each of said towns shall have power at all times to make all such regulations valid and binding within the limits of their towns only, as to the rate of speed of cars or trains, and the removal of snow and ice from the streets, roads and highways from and alongside of its tracks at the expense of said railway company, as the public convenience and safety may require.

Section 5. The tracks of said company shall be laid in such parts of the streets, roads or highways as the municipal officers of either of said towns shall direct; and poles may be set at convenient places and distances along the streets, roads or highways over which the tracks of the railroad shall be laid, from which trolley wires may be suspended for the operation of cars by electricity, at such points as the municipal officers may direct.

Section 6. Said road shall be constructed in such form and manner and with such rails and appliances that so much of the streets, roads and ways as are occupied thereby shall be safe and convenient for travelers, and said road shall be liable to an action on any case for any loss or damage which any person may sustain by reason of any failure to comply with this provision.

Section 7. The company may lay its tracks across the tracks of any steam railroad, but the manner and terms of the crossing shall be determined by the railroad commissioners before the crossing is made.

Section 8. Said company is hereby authorized to lease all of its property and franchises on such terms as it may determine; also to consolidate with or to acquire by lease, purchase or otherwise the lines, property or franchises of any other street railway, whose lines as constructed or chartered would form connecting or continuing lines with the lines of this company, and in such case this company shall be entitled to all the privileges and be subject to all the appropriate conditions and limitations contained in the charters thus united with or acquired. Whenever any person or corporation shall be lawfully operating any railroad to any point to which this company's tracks extend, this company may enter upon, connect with and use the same on such terms and in such manner as may be agreed upon between the parties.

Section 9. This company shall keep and maintain in repair, such portion of the streets, town or county roads as shall be occupied by the tracks of this railroad, and shall make all other repairs of said streets or roads which 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 the town

in which the necessity exists, at the expense of said company, and said town may recover all expenses in an action of money paid for the use of said railroad company.

Said company shall be liable for any loss or damage which any person may sustain by reason of any carelessness, neglect or misconduct of its agents or servants, or by reason of any defect in so much of said streets or roads as is occupied by said railway, if such defect arises from neglect or misconduct of the company, its servants or agents.

—liable for damages for neglect or misconduct of agents.

Section 10. If any person shall wilfully and maliciously obstruct said corporation in the use of its roads or tracks, or the passing of the cars of said company thereon, and all who shall aid and abet therein, shall be fined not exceeding two hundred dollars, or imprisoned in the county jail not exceeding sixty days.

Obstruction of tracks.

—penalty.

Section 11. Said company may from time to time, fix such rates of compensation for transporting persons or property, as it may deem expedient, and generally shall have the powers and be subject to all the liabilities of corporations as set forth in the forty-sixth chapter of the revised statutes and amendments thereto.

May fix rates of transportation.

Section 12. Said corporation may change the location of said railroad by first obtaining the written consent of the municipal officers of said towns, and make additional locations on the aforementioned highways subject to the foregoing provisions and conditions and in no event to cross or go north of said Sturgeon creek.

Change of location, how obtained.

Section 13. Nothing in this act shall be construed to prevent the proper authorities of said town from entering upon and temporarily taking up the soil in any street, town or county road occupied by said railroad, for any purpose for which they may now lawfully take up the same.

Proper authorities may take up streets.

Section 14. No other corporation or person shall be permitted to construct or maintain any railroad for similar purposes over the same streets, roads and ways, that may be lawfully occupied by this corporation.

Exclusive franchise.

Section 15. Said town shall not be liable to pay for any damage to persons or property occasioned by any neglect or fault of said railway during construction.

Damages during construction.

Section 16. The directors of this company, from time to time, may raise or borrow for the use and purpose, of the company, any sum or sums not exceeding four hundred thousand dollars by the issue of bonds or debentures in sums of not less than one hundred dollars, and not exceeding the amount of capital stock subscribed for on such terms and credit as they may think proper, and may pledge or mortgage all the tools, property,

May borrow money.

May issue bonds.

—may mortgage property.

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franchises and incomes of the company, or any part thereof for the repayment of money so raised or borrowed and the interest thereon, provided always, that the consent of the majority in value of the stockholders of the company shall be first had and obtained at a regular or special meeting to be called and held for that purpose.

First meeting,
how called.

Section 17. The first meeting of the incorporation under this act, may be called by either of the corporators giving notice to the others in writing at least seven days before the time of said meeting, of the time and place of said meeting.

Section 18. This act shall take effect when approved.

Approved March 24, 1903.

Chapter 254.

An Act to establish the Lubec and Machias Railway Company.

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

Corporators.

Section 1. Bion M. Pike, Jacob C. Pike, Robert J. Peacock, Clarence H. Clark and James H. Gray, their associates and successors, are constituted a corporation under the name of the Lubec and Machias Railway Company, for the purpose of building, constructing, maintaining and operating by electrical, steam, or other power, a railway for passenger and freight transportation, with such single or double tracks, side tracks, switches, turnouts, stations and appurtenances, and with such poles, wires, appliances and appurtenances, as may seem advisable and desirable to said company, from any point in the town of Lubec, through the towns of Trescott, Whiting, Cutler, East Machias and Machiasport, if necessary, to some point in the town of Machias as may seem to said company desirable, together with the right to cross the rivers and tide waters of the East Machias and Machias rivers, within the limits of the said towns of East Machias, Machiasport and Machias upon the bridges of said towns of East Machias, Machiasport and Machias, or upon bridges of said company, erected therefor, and also with the right to lay their said tracks within the limits of said town of Lubec, and within the limits of the towns of Trescott, Whiting, Cutler, East Machias, Machiasport and Machias, as may be assented to in writing by the municipal officers of said towns at any meeting thereof upon petition of said company, and together, also, with the right to cross tide waters and navigable and fresh water streams within the limits of any of said towns mentioned,

—corporate
name.

—purposes.

—route.

—may cross
rivers and
tide waters.