

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

Chapter 281.

An Act to incorporate the Winterport, Frankfort and Prospect Electric Railway.

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

Section 1. Charles A. McKenney, Frank C. Young, Charles R. Hill and Ellery Bowden of Winterport and Albert Peirce of Frankfort; their associates, successors and assigns are hereby constituted a corporation by the name of the Winterport, Frankfort and Prospect Electric Railway with authority to construct, maintain and operate by electricity or animal power, a street railway with convenient single or double tracks, side tracks or turnouts, with all necessary or convenient lines of poles, wires, appliances, appurtenances and conduits, from the terminus of the Bangor, Hampden and Winterport Railway in Hampden through the town of Hampden to Winterport, in and through the towns of Winterport, Frankfort and Prospect to Stockton Springs upon streets and highways to be fixed and determined by the municipal officers of said respective towns, after the right of way has been granted by the respective 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, and may also maintain and operate said railway upon and over any lands where the land damages have been mutually settled by said corporation and owners thereof; 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 respective clerks of said towns, and the assent to the location of bridges by county commissioners shall be filed with the clerk of courts, in the county where said bridge is to be built, 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 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 2. Said corporation is hereby authorized to build and forever maintain, on the line of location of its track and line of

Corporators.

—corporate name.

—powers.

—route.

—locations shall be filed with clerk of courts

—may fix transportation rates.

May maintain line of wires.

wires transmitting power and supplying lights and power, any and all necessary bridges, across tide waters where vessels can navigate, in either of the towns named in this act, and especially across Marsh river in said Frankfort, upon location, terms and conditions, to be determined by the commissioners of the county in which said bridge is to be built, after due notice and a public hearing thereon, and forever maintain draws in such bridges, cross said bridges with wires and maintain the same in accordance with regulations that may be established by said commissioners from time to time; which rules and regulations shall be printed and a copy thereof be posted in each car run by said company. Provided, always, that after the county commissioners have once established their rules and regulations they shall not be changed in any particular, until after thirty days written notice to said corporation to the end that a hearing may be had thereon.

—may cross navigable waters.

—proviso.

Section 3. Said corporation is also authorized to make, generate, sell, distribute and supply electricity for lighting, heating, manufacturing or mechanical purposes in any of the towns hereinbefore mentioned with all the rights, privileges and powers and subject to all the restrictions and liabilities incident by law to corporations organized for said last named purposes.

May supply electricity for light, heat and power.

Section 4. The capital stock of said corporation shall not exceed five hundred thousand dollars, to be divided into shares of one hundred dollars each.

Capital stock.

Section 5. Said corporation may change the location of said railway, by first obtaining the written consent of the municipal officers of said town, and make additional locations, subject to the foregoing provisions and conditions; provided that the location of any bridge across tide waters where vessels can navigate shall not be changed without the consent of the county commissioners.

Change of location.

Section 6. Nothing in this act shall be construed to prevent the proper authorities of said towns, from entering upon and temporarily taking up the soil in any street, town or county road occupied by said railway, for any purpose for which they may now lawfully take up the same.

Municipal officers may occupy streets.

Section 7. Such corporation 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 and franchises of any other street railway, whose lines as constructed or chartered would form connecting or continuous lines with the lines of this company, and in such case this corporation shall be entitled to all the privileges, and be subject to all appropriate conditions and limitations contained in the charter thus united with or acquired. Whenever

May sell or lease its property to connecting lines.

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any person or corporation shall be lawfully operating any street railway to any point to which this corporation's tracks extend, this corporation may enter upon, connect with and use the same on such terms and in such manner as may be agreed upon between the parties, and may acquire by purchase or lease for a term of years and operate any ferry way on the Penobscot river connecting with its roads.

Shall not be required to run cars during snow blockade.

Section 8. Said corporation shall not be required to run cars upon its road when the line of the road is blocked with snow and ice, or when the convenience or wants of the public do not demand it. And said corporation is permitted to run omnibuses instead of rail cars during such time as the tracks may be blocked.

May use existing poles, trees or structures for its wires.

Section 9. Whenever it is practicable to use existing poles or any electric light, telephone or telegraph company, or any tree or structure of any kind, for any of the wires of said corporation and the owners thereof consent to the free use of the same, or at a price satisfactory to said corporation shall have the right to use the same; and the decision as to the practicability of such use shall be left to three persons skilled in the science of electricity, one chosen by said corporation, one by the municipal officers, and the third by the two so chosen; the decision of the majority of said board shall be final and the expense of said tribunal shall be borne by said corporation. In the erection and maintenance of its poles, posts, lamps and wires, said corporation shall be subject to the general laws of the state, regulating the erection of posts and lines for the purposes of electricity.

—price, how determined.

First meeting, how called.

Section 10. The first meeting of said corporation shall be called in the manner provided in the revised statutes, chapter forty-six, section three.

Section 11. This act shall take effect when approved.

Approved March 25, 1903.

Chapter 282.

An Act to incorporate the Lee Telephone Company.

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

Corporators.

Section 1. F. L. Riggs, H. L. Haskell, J. W. Burke, C. C. Burke and G. H. Haskell, their associates and successors, are hereby made a body corporate by the name of the Lee Telephone Company, with all the rights, powers and privileges, and subject to all the duties and obligations of similar corporations under the general laws of this state, with power by that name to sue and be sued, to have a common seal, to establish all by-laws and reg-

—corporate name.