

# 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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Published by the Secretary of State, agreeably to Resolves of June 28,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

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Section 15. Said corporation shall not be required to run cars upon their road during the winter season nor when the convenience or wants of the public do not require it.

**CHAP. 389**

Shall not be required to operate road in winter.

Section 16. This act shall take effect when approved.

Approved March 28, 1903.

**Chapter 389.**

An Act to authorize the Skowhegan and Norridgewock Railway and Power Company to extend its line to and into the town of Smithfield.

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

Section 1. The Skowhegan and Norridgewock Railway and Power Company is hereby authorized to extend its street railroad from or near its present terminus in the town of Norridgewock, to and into the town of Smithfield over streets, roads and ways to be determined by the selectmen of said towns, with all the powers and privileges and subject to all the duties and liabilities incident to street railroad corporations except as modified by this act.

Authorized to extend line of its road.

Section 2. All proceedings for the extension of said railroad shall be had under the general laws of this state regulating similar extensions, except, however, that the petition to the railroad commissioners for approval of location shall omit the prayer for such commissioners to determine whether public convenience requires the construction of such road.

Proceedings.

Section 3. Said company may discontinue the running of its cars during such portion of the winter months as it may find expedient.

May discontinue service in winter.

Section 4. This act shall take effect when approved.

Approved March 28, 1903.

**Chapter 390.**

An Act to incorporate the Lumbermen's Electric Railway Company.

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

Section 1. E. B. Curtis, O. M. Vose, A. R. Gilson, A. D. McFaul, C. Sullivan, E. P. Grimes, W. E. Tupper, W. F. Pope, S. N. Tobey, C. Hollis White and F. L. Shaw, their associates, successors and assigns are hereby constituted a cor-

Corporators.

## CHAP. 390

—corporate  
name.

poration under the name of the Lumbermen's Electric Railway Company, with authority to construct, maintain, equip and operate a line or lines of single or double track railway, to be operated by 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 Machias, Machiasport, East Machias, Jonesboro and in any or all the towns, townships and lumber regions lying on and along Chandler's river, Machias river and the East Machias river.

May cross  
tide waters.

Section 2. Said company shall have authority to extend its railway over the bridge across the navigable tide waters of Chandler's river, Machias river, Middle river and East Machias river, in Washington county.

May purchase  
or lease  
real estate.

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.

Animal or  
electric  
power may  
be used.

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.

Municipal  
officers may  
designate  
location in  
streets.

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.

Manner of  
construction.

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.

May cross  
tracks of  
steam  
railroad.

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.

May sell or lease to connecting line.

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.

Repairs of streets occupied.

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.

Liability for damages.

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 for.

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.

Rates of transportation.

Section 12. Said corporation may change the location of said railroad by first obtaining the written consent of the

Change of location, how made.

CHAP. 390

municipal officers of said towns, and make additional locations on the afore mentioned highways subject to the foregoing provisions and conditions and in no event to cross or go north of said Sturgeon Creek.

Town may enter on streets for lawful purposes.

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.

Exclusive franchise.

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.

Liability for damages during construction.

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.

May borrow money.

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, 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 stock holders of the company shall be first had and obtained at a regular or special meeting to be called and held for that purpose.

—may issue bonds.

First meeting, how called.

Section 17. The first meeting of the incorporation under this act, may be called by either of the incorporators 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 28, 1903.