

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

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.

1905.

CHAP. 311**Chapter 311.**

An Act to amend the charter of the Auburn and Turner Railroad Company.

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

Charter extended.

Section 1. The rights, powers and privileges of the Auburn and Turner Railroad Company, which were granted by chapter twenty of the private and special laws of nineteen hundred and three, are hereby extended for two years from the approval of this act; and the persons named in said act, their associates and successors, shall have all the rights, powers and privileges that were granted them by said act, to be exercised in the same manner and for the same purposes as specified in said act, with such additional powers and privileges as are granted in this act.

Section 1, chapter 20, amended.

Section 2. Section one of said chapter twenty is hereby amended by striking out the words "and the town of Turner" in the seventh line of said section and inserting in place thereof the following words, 'and the towns of Turner and Buckfield'; by inserting after the words "town of Turner" in the tenth line of said section the words 'and from some convenient point in the town of Turner to some convenient point in the town of Buckfield'; by striking out the word "town" in the eleventh line of said section and inserting the word 'towns,' so that said section as amended, shall read as follows:

Corporators.

'Section 1. W. P. Sawyer of Lewiston, Maine, F. C. Farr of said Lewiston and H. M. Heath of Augusta, Maine, their associates, successors and assigns, are hereby made a corporation under the name of the Auburn and Turner Railroad Company, with power to construct, operate and maintain a street railroad for street traffic for the conveyance of persons and property in the city of Auburn and the towns of Turner and Buckfield, from the terminus of the Lewiston, Brunswick and Bath Street Railway, at Lake Grove, so called, in Auburn, to some convenient point in the town of Turner, and from some convenient point in the town of Turner to some convenient point in the town of Buckfield, along and over such streets, roads and ways in said city and towns and over and across such lands as may seem advisable and necessary to said company, with such single or double tracks, side tracks, switches, turnouts, stations and appurtenances and with such poles, wires and appliances as shall be reasonable in the premises, with all the rights and powers, and subject to all the duties and liabilities incident by law to similar corporations.

--corporate name.

--specification of territory on which corporation may operate.

Section 3, chapter 20, amended.

Section 3. Section three of said chapter twenty is hereby amended by striking out the word "town" in the first line of said

section and inserting in place thereof the word 'towns,' so that said section as amended, shall read as follows:

'Section 3. The municipal officers of said city and towns shall determine the distance from the sidewalks, or side lines of any way at which the rails of said company shall be laid. The said company or any person interested therein may appeal from any such determination to the board of railroad commissioners, who shall upon notice hear the parties and finally determine the questions raised by said appeal.'

Municipal officers shall determine where rails may be laid in streets.

Section 4. Section four of said chapter twenty is hereby amended by striking out the word "town" in the first line of said section and inserting in place thereof the word 'towns,' so that said section as amended, shall read as follows:

Section 4, chapter 20, amended.

'Section 4. The municipal officers of said city and towns shall have power at all times to make all such regulations as to the mode and use of said track of the company, the rate of speed and the removal and disposal of snow and ice from the streets, roads and ways as the public safety and convenience may require. Said railroad shall be constructed and maintained in such form and manner and with such rails as said municipal officers may direct. The said company may appeal from any decree of such municipal officers, made under this section, to the board of railroad commissioners, who shall upon notice hear the parties and finally determine the questions raised by said appeal.'

Municipal officers shall regulate speed, removal of snow from track, etc.

--appeal from decree of municipal officers.

Section 5. Section five of said chapter twenty is hereby amended so that said section as amended, shall read as follows:

'Section 5. Before beginning construction of its said road, the said company shall first file with the clerk of the county commissioners of Androscoggin county a copy of so much of its location as is within the city of Auburn and town of Turner, defining its courses, distances and boundaries, accompanied with a map of the proposed road in the city of Auburn and town of Turner on an appropriate scale; and before beginning construction of its said road in the town of Buckfield, the said company shall first file with the clerk of the county commissioners of Oxford county a copy of so much of its location as is within said town of Buckfield, defining its courses, distances and boundaries, accompanied with a map of the proposed road in said town of Buckfield on an appropriate scale; and a copy of the entire location, accompanied with a map, shall be filed with the board of railroad commissioners.'

Shall file plans of location.

Section 6. Section six of said chapter twenty is hereby amended by inserting after the word "taken" in the eighteenth line of said section the words 'in the county of Androscoggin,'

Section 6, chapter 20, amended.

CHAP. 312

and by inserting after the word "Androscoggin" in the nineteenth line of said section the words 'and plans of all location of lands so taken in the county of Oxford shall be filed with the clerk of courts in said county of Oxford,' so that said section as amended, shall read as follows:

May take land outside of streets for track line, etc.

--property which may not be taken.

--land taken shall not exceed four rods in width.

--damages, how estimated.

'Section 6. Such company outside of the limits of streets, roads and ways may for its location, construction and convenient use of its road for its main track line, switches, turnouts, spur tracks, side tracks, stations, car barns, gravel pits and power houses, improving the alignment of its road or changing the grades thereof, purchase or take and hold as for public uses, any lands and all materials in and upon it, excepting meeting houses, dwelling houses and public or private burying grounds, and may excavate in, through or over such lands to carry out its purposes, but the lands so taken for its main track line, turnouts, switches, spur tracks and side tracks shall not exceed four rods in width, unless necessary for excavations and embankments, or materials. All land so taken except for its main track line, turnouts, switches, spur tracks and side tracks shall be subject to the provisions of section twenty-six, chapter fifty-one of the revised statutes. It may enter upon any such lands to make surveys for its location, and plans of all location of lands so taken in the county of Androscoggin shall be filed with the clerk of courts in the county of Androscoggin, and plans of all location of lands so taken in the county of Oxford shall be filed with the clerk of courts in said county of Oxford, and when so filed such land shall be deemed and treated as taken. All damages for lands taken hereunder, shall be estimated and paid as in the case of taking lands for railroads.'

Section 7. This act shall take effect when approved.

Approved March 21, 1905.

Chapter 312.

An Act relating to the York Light and Heat Company.

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

Limits of territory in which it may operate extended and defined.

Section 1. The York Light and Heat Company is hereby authorized and empowered to set, build, extend and maintain its poles, lines and wires along and upon the public highways and streets from the cities of Biddeford and Saco, to, into and through the towns of Dayton, Hollis and Buxton, in the county of York, and to and into the village of Bonny Eagle, in the town