

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-THIRD LEGISLATURE
OF THE
STATE OF MAINE
1907.

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

OF THE

STATE OF MAINE.

1907.

of shares of the capital stock or bonds, securities or evidences of indebtedness of said Ossipee Valley Power Company, with all the rights, powers and privileges of ownership therein conferred upon corporations under chapter forty-seven of the revised statutes and amendments thereof and additions thereto. And whenever, or as often as said Ossipee Valley Power Company has acquired by lease, purchase or otherwise, the aforesaid power plant, pole lines, property and assets, rights, privileges and franchises, or any part thereof, of any or all of said corporations, said Ossipee Valley Power Company shall thereupon succeed to and have, and is hereby authorized to exercise such of the rights, privileges and franchises of any or all of said corporations acquired as aforesaid by said Ossipee Valley Power Company.

Section 13. The principal office of said company shall be located in the town of Sanford, in the county of York, and said company may establish offices and places of business in the towns of Shapleigh, Newfield, Limington, Waterboro and Alfred.

Principal office shall be in Sanford, Me.

Section 14. The first meeting of said company may be called by written notice thereof signed by any two corporators herein named, served upon each corporator by a copy of the same in hand or mailed, postage paid, at least seven days prior to the day therein named for such meeting, provided, however, that the first meeting of said company shall be legal and binding without prior notice, provided all of the corporators herein named are present in person or by attorney and assent to said meeting on the record thereof.

First meeting, how called.

Section 15. This act shall take effect when approved.

Approved February 15, 1907.

Chapter 259.

An Act to incorporate the Winter Harbor and Eastern Railway Company.

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

Section 1. Bedford E. Tracy of Winter Harbor, Edward S. Clark and G. Raymond Joy, of Eden, Edward E. Chase of Bluehill, Elmer P. Spofford of Deer Isle, Will R. Havey, Bradbury Smith, Stewart E. Phelps, of Sullivan, George H. Grant of Ellsworth, Orlando W. Foss and Charles H. Wooster of Hancock, their associates, successors and assigns are hereby constituted a corporation by the name of the Winter Harbor

Corporators.

—corporate name.

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--route defined.

--may cross navigable waters.

--municipal officers may fix distance of tracks from sidewalks.

--routes of said railway shall be filed with town clerks.

--location of bridges to be filed with clerk of courts.

--proviso.

May maintain lines of wires.

and Eastern Railway Company, with authority to construct, maintain and operate by electricity 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, commencing at Ellsworth and extending eastward in and through said Ellsworth, Hancock, Sullivan, Gouldsboro and Winter Harbor in the county of Hancock and Steuben and Milbridge in the county of Washington, 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 waters in each of said towns upon location and upon terms to be established by the county commissioners of the county 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 the corporation and owners thereof; provided, however, that all tracks of said railway shall be laid at such a distance 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 their 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-seventh chapter of the revised statutes, provided, that nothing herein contained shall authorize said corporation to operate its railroad within the limits of the city of Ellsworth except by one line of track by which to enter said city as a terminal point, or to make connection with any other electric railway entering or operating in said city.

Section 2. Said corporation is hereby authorized to build and forever maintain on the line of location of its tracks and line of wires transmitting power and supplying light and power, any and all necessary bridges, across tide-waters where vessels can navigate, in any of the towns named in this act, especially across the Taunton river, which river divides the town of Sulli-

van from the town of Hancock in said county of Hancock, upon locations, terms and conditions to be determined by the commissioners of the county in which said bridge 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.

—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, excepting the city of Ellsworth, 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 furnish electricity to others.

—exception.

Said corporation may make contract with other person, persons or corporations to supply it with electrical power for all purposes for which it is incorporated.

May make contracts.

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 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 mortgage of its franchises and property.

May issue bonds.

Section 6. 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.

Location may be changed, how.

Section 7. 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.

Town authorities may enter upon streets.

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May lease
its property.

Section 8. 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 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.

—may connect with
other lines.

Shall not be
required to
run cars
when line is
blocked with
snow.

Section 9. 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 with
consent of
owners.

Section 10. Whenever it is practicable to use existing poles of 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.

May take
lands, etc.

Section 11. Said corporation may purchase or take and hold by its locations aforesaid, as for public use, land other than streets, roads or ways and all materials in and upon it for the location, construction and convenient use of its road, whenever for any reason it appears to be impracticable to locate such a railroad within the limits of the streets, roads or ways, but land so taken shall not exceed four rods in width unless necessary for excavations, embankments or materials; no location outside the limits of any street, road or way shall be approved by the railroad commissioners, unless it appears to be impracticable

—width of
land taken
shall not
exceed four
rods.

to locate said railroad within the limits of said streets, roads or ways. All damages for land and material so taken shall be determined and paid in the manner and under the proceedings as provided in case of land taken for steam railroads.

—damages, how determined.

Section 12. The first meeting of said corporation shall be called in the manner provided in the revised statutes, chapter forty-seven, section seven.

First meeting, how called.

Section 13. This act shall take effect when approved.

Approved March 15, 1907.

Chapter 260.

An Act organizing the Fairfield and Skowhegan Railway Company.

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

Section 1. Forrest Goodwin of Skowhegan, Byron Boyd, H. L. Pishon, Frank E. Smith of Augusta, and Edward S. Clark of Eden, their associates, successors and assigns, are hereby constituted a corporation by the name of the Fairfield and Skowhegan Railway Company, 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, commencing at Shawmut in the town of Fairfield and extending in and through said Fairfield to Skowhegan, in and through said Skowhegan in the county of Somerset, state of Maine, upon streets, highways and property to be fixed and determined by the municipal officers in said respective towns after the right of way has been granted by said respective towns and assented to in writing by said corporation. Said corporation shall, before commencing the construction of its road, present to the railroad commissioners a petition for approval of location, defining its courses, distances and boundaries, accompanied with a map of the proposed route on an appropriate scale with the written approval of the proposed route and location as to streets, roads or ways, of the municipal officers of the cities and towns in which said railroad is to be constructed in whole or in part and with a report and estimate prepared by a skillful engineer. If the municipal officers upon written application therefor neglect for thirty days to approve a route and location as to streets, roads or ways, or if they refuse to approve such a route and location, or if such route and location approved by them is not accepted by the

Corporators.

—corporate name.

—route.

—shall present petition to railroad commissioners for approval of location.

—may appeal to court if municipal officers do not approve route.