

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

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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

As Passed by the Seventy-fourth  
Legislature

1909

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## CHAP. 313

the Kennebec Log Driving Company, or by the log owner. And said company shall, at its own expense, break and put through its booms any jam of logs occasioned by its said piers. Said Shawmut Manufacturing Company in rebuilding said dam shall provide a substantial logway for the safe and convenient passage of logs and other lumber. Said logway to be built as follows: Twenty-five feet wide in the clear, and the floor of said logway to be built with a slope of three inches to one foot, and to extend to within about four feet of the elevation of the base of the dam; said logway to have sides four feet high. At all times during the driving season there is to be not less than four feet of water on a level with the entrance of said logway twenty-five feet up stream. Said logway to be built where the present logway is now located.

Section 3. Said Shawmut Manufacturing Company, its successors and assigns, may enter upon, take and hold such lands as may be necessary for the erection and maintenance of the piers and booms mentioned in this act, and connecting the same with the shores, and may, with its agents and teams, pass and repass over said shores and to and from the same over the lands of other persons for the purposes aforesaid, and for the building, operation and management of said piers and booms, making compensation therefor as provided in the case of damages for lands taken in laying out highways.

Section 4. If the parties cannot agree upon the damages for flowage caused by such increased height, including damages for dam sites or water powers as provided in section one of this act, such damages shall be recovered in accordance with the provisions of chapter ninety-four of the revised statutes known as the "mill act."

Section 5. No power generated by said corporation under and by virtue of the provisions of this act, shall be transmitted by electric current for sale or other disposition beyond the limits of said state of Maine.

Approved March 25, 1909.

—shall break jams.

—shall provide logway for passage of logs.

—logway, how constructed.

May enter upon, take and hold necessary lands.

—May pass and repass over shores.

Damages, how recovered, if parties cannot agree.

Electric power shall not be transmitted beyond limits of the state.

### Chapter 313.

An Act to abolish Rines Hill grade crossing in Augusta.

*Be it enacted by the People of the State of Maine, as follows:*

Section 1. The Maine Central Railroad Company is hereby ordered and directed to change the location of its road in the vicinity of Rines Hill crossing of Water street in the city of Augusta, so that its tracks shall pass under Water street

Company ordered and directed to change location of its road.

## CHAP. 313

—shall present plan for such change to railroad commissioners, with petition for approval of said plans.

—Commissioners shall approve plans if satisfactory.

When certified copy of said plan is filed in registry of deeds, property shall be deemed to be taken as and for public uses.

—damages, how recovered.

—part of Court street discontinued.

Shall maintain foot bridge.

All work shall be done under direction of railroad commissioners, who shall determine the entire cost thereof.

—how cost shall be borne.

—railroad commissioners shall determine what amounts shall be paid to railroad company and render their award thereon.

instead of crossing said street at grade as at present. Said railroad company shall present to the railroad commissioners a plan for such change in location which plan shall show the lands, dwellings and other buildings necessary or convenient to be taken and such of its present land as is necessary to be retained by it to effect such change in location, also a plan for the construction of such crossing, together with a petition for the approval of said plans. Upon such petition notice shall be given and hearing had, and if said plans shall be satisfactory to the railroad commissioners they shall approve the same. When a certified copy of said approved plan for change of location shall be filed in the registry of deeds of Kennebec county the lands, dwelling houses and other buildings so as above shown by said plan to be necessary or convenient to be taken for said purposes shall then be deemed to be taken, as and for public uses. Damages for the lands, dwelling houses and other buildings taken as aforesaid may be recovered as provided in sections thirty-one to forty, both inclusive, of chapter fifty-one of the revised statutes. So much of Court street as is shown to be taken by said plan shall be and become discontinued at the time of the filing of said plan in the registry of deeds as aforesaid. The provisions of the statutes for the assessment of damages for such discontinuance shall apply in the same manner as if the discontinuance had been made by the city of Augusta.

Section 2. Said Maine Central Railroad Company shall construct and maintain a foot bridge over the discontinued portion of Court street.

Section 3. The Maine Central Railroad Company shall do all the work necessary to carry out the provisions of this act under the direction of the railroad commissioners who shall determine the entire cost thereof in which shall be included all damages for property taken and all damages which the city of Augusta shall have to pay in consequence of the discontinuance of Court street. The total cost determined as above provided shall be borne as follows: Fifteen per cent. thereof, not to exceed fifteen thousand dollars by the city of Augusta, fifteen per cent. thereof not to exceed fifteen thousand dollars by the Lewiston, Augusta and Waterville Street Railway, twenty-five per cent. thereof, not to exceed twenty-five thousand dollars by the state of Maine, and the balance by the Maine Central Railroad Company, and the railroad commissioners shall determine the amounts which the city of Augusta and the Lewiston, Augusta and Waterville Street Railway and the state of Maine respectively shall each pay back to the Maine Central Railroad Company pursuant to the provisions of the act and render their

award thereon, and upon the rendition of such award the amounts so determined to be paid back to the Maine Central Railroad Company from each of said parties, shall then become due from each of said parties respectively to the Maine Central Railroad Company. The governor shall draw a warrant payable from any money in the state treasury not otherwise appropriated to pay the sum due from the state.

—governor shall draw warrant for amount due from state.

Section 4. The work required by the provisions of this act shall be completed not later than December one, nineteen hundred and ten, and shall be done in such a manner as to afford reasonable facilities for travel on said street during the progress of said work, including the passage of electric cars thereon.

Work shall be completed Dec. 1, 1910.

Section 5. This act shall not take effect unless approved by a majority vote of the legal voters of the city of Augusta voting at an election to be specially called and held for the purpose on the fourth Monday in April, nineteen hundred and nine. Said special election shall be called, advertised and conducted according to the law relating to municipal elections, provided, however, that the board of registration shall not be required to prepare or the city clerk to post a new list of voters, and for this purpose said board shall be in session the three secular days next preceding such election. The first two days thereof to be devoted to registration of voters and the last day to enable the board to verify the correction of said lists and to complete and close up its records of said session. The city clerk shall reduce the subject matter of this act to the following question: Shall the act to abolish the Rines Hill grade crossing in Augusta be accepted? and the voters shall indicate by a cross placed against the words "yes" or "no" their opinion of the same. The result shall be declared by the mayor and aldermen and a certificate thereof filed by the city clerk with the secretary of state. This act shall take effect when approved by the governor so far as necessary to empower the calling and holding of such election.

This act shall take effect when approved by the voters of Augusta, at a special election called therefor. —election, how called.

—form of question.

—result shall be declared and certificate thereof filed with secretary of state.

Approved March 25, 1909.

**Chapter 314.**

An Act to authorize the Rangeley Lakes Steamboat Company to maintain wharves in the Rangeley Lake.

*Be it enacted by the People of the State of Maine, as follows :*

Section 1. The Rangeley Lakes Steamboat Company, a corporation duly established and existing under the laws of the state, its successors and assigns, are hereby authorized and

Authorized to maintain wharves in Rangeley lake.