

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
OF THE  
SEVENTY-FIFTH LEGISLATURE

OF THE  
STATE OF MAINE.

1911

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

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth  
Legislature

*1911*

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erator shall have been chosen by ballot and sworn, and at all meetings of said corporation, a moderator shall be chosen in the manner and with the same powers as in town meetings.

Section 13. The first election of officers of this corporation shall be at the meeting of the legal voters of the corporation called to accept this charter, and the annual election of officers shall be at such time as said corporation may provide in its by-laws.

First election  
of officers.

Section 14. All persons liable to be taxed for polls, residing in the limits of said corporation, shall be legal voters at any meeting of the corporation.

Poll tax pay-  
ers shall be  
legal voters.

Section 15. At any meeting prescribed in section twelve of this act, the legal voters shall elect a moderator and clerk, both of whom shall be sworn by some justice of the peace for the faithful discharge of their duties, and thereupon said meeting shall proceed by ballot to vote on the question of accepting this charter, and if a majority of all the legal voters present and voting at said meeting, shall vote in favor of its acceptance, then it shall take effect, and said corporation may immediately after said vote is declared, proceed to the adoption of by-laws and the election of officers as hereinbefore provided.

Proceedings  
at any meet-  
ing to vote on  
the question  
of accepting  
this charter.

Section 16. This act shall not bind the inhabitants of the territory aforesaid until its acceptance by them as hereinbefore provided.

Act not bind-  
ing until ac-  
cepted.

Approved March 16, 1911.

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### Chapter 123.

An Act to establish the Lubec, East Machias and Machias Railway Company.

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

Section 1. Elisha W. Pike, G. P. Bogue, James A. Foster, George S. Thayer and Royal L. Foster, their associates and successors, are constituted a corporation under the name of the Lubec, East Machias and Machias Railway Company, for the purpose of building, constructing, maintaining and operating by electrical, steam, or other power, railway for passenger and freight transportation, with such single or double tracks, side tracks, switches, turnouts, stations and appurtenances, and with such poles, wires, appliances and appurtenances, as may seem advisable and desirable to said company, from any point in the town of Lubec, through the towns of Trescott, Whiting, Cutler, East Machias and Machiasport, if necessary, to some point in the town of East Machias or Machias as may seem to said com-

Corporators.

—corporate  
name.  
—purposes.

—route.

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—may cross  
rivers and  
tide waters.

pany desirable, together with the right to cross the rivers and tide waters of the East Machias and Machias rivers, within the limits of the said towns of East Machias, Machiasport and Machias upon the bridges of said towns of East Machias, Machiasport, and Machias, or upon bridges of said company, erected therefor, and also with the right to lay their said tracks within the limits of said town of Lubec, and within the limits of the towns of Trescott, Whiting, Cutler, East Machias, Machiasport and Machias, as may be assented to in writing by the municipal officers of said towns at any meeting thereof upon petition of said company, and together, also, with the right to cross tide waters and navigable and fresh water streams within the limits of any of said towns mentioned, upon existing bridges or upon bridges of said company, erected therefor, provided, however, that said railway company shall not unnecessarily obstruct navigation, and that the manner and conditions of its so crossing said East Machias and Machias river, tide waters, navigable waters of fresh water streams or rivers, upon any bridges, and of its erecting and maintaining any bridges of its own, shall first be determined by the municipal officers of the towns within the limits of which said bridges shall be so erected, maintained or used.

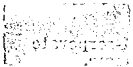
—shall not  
obstruct nav-  
igation.

Gauge of  
road, and  
width of land  
taken.

Section 2. Said railway shall be of a gauge not to exceed five feet, and the land occupied by said company for its main track line, exclusive of turnouts, switches, side tracks, stations or appurtenances, shall nowhere exceed four rods in width. Said company shall have power, from time to time, to fix such rates of compensation for transportation of passengers or freight as it may think expedient, and in general, shall have and enjoy all the powers and privileges incident to or usually granted to similar corporations.

—may fix  
rates.

May occupy  
necessary  
lands.



—may enter  
lands to make  
surveys, and  
shall file  
plans.

Section 3. Said company shall further have power to occupy any lands reasonably necessary for its tracks, switches, turnouts, stations, appurtenances or appliances, and to excavate or construct in, through or over such lands to carry out its purposes. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds in said county of Washington, plans of such locations and land, and within thirty days thereafter, publish notice thereof in some newspaper in said county, such publication to be continued for three weeks successively.

Damages,  
how deter-  
mined and  
assessed.

Section 4. For the purpose of determining the damages to be paid for such location, occupation and construction, the land owner or said railway company, may within three years after the filing of plans of location, apply to the commissioners of

said county of Washington, and have such damages assessed as is provided by law in cases wherein land is taken for railroads, so far as the same is consistent with the provisions of this chapter, and where inconsistent, or at variance with this charter, the charter shall control. If the railway company shall fail to pay such land owner, or to deposit for his use with the clerk of the county commissioners such sum as may be finally awarded as damages, with costs, within ninety days after final judgment, the said location shall thereby be invalid, and the company forfeit all right under the same. If such land owner secures more damages than were tendered by said company, he shall recover costs, otherwise the company shall recover costs. In case the said company shall begin to occupy such land before the rendition of final judgment, the land owner may require said company to file its bond to him with the county commissioners, in such sum and with such securities as they approve, condition for said payment or deposit. Failure to apply for damages within said three years by the land owner shall be held to be a waiver of the same. No action shall be brought against said railway company for such taking and occupation of land until after such failure to pay or deposit as aforesaid.

—waiver.

—no action,  
when.

Section 5. The capital stock of said company shall be fixed at the first meeting of said company, with the right to increase up to seven hundred thousand dollars, and shall be divided into shares of one hundred dollars each.

Capital stock.

Section 6. Said company for all its said purposes may hold real and personal estate sufficient, necessary and convenient therefor.

May hold necessary estate,  
real and personal.

Section 7. Said company may issue its bonds for the construction of its works, maintenance or operation of the same of any or all kinds, upon such rates and terms as it may deem expedient, not exceeding the sum of twenty-five thousand dollars per mile, and not exceeding in total amount the amount of capital stock of said company at the time of the issuance of said bonds, and to secure the same by mortgage of any property and franchise of the said company.

May issue bonds and mortgage property.

Section 8. The municipal officers of said towns shall have power at all times to make all such regulations as to rates of speed, removal of snow and ice, keeping in repair that portion of street between the rails, and adjacent to them outside, and the mode of use of the tracks of said company, within street limits of any of said towns, as the public safety and convenience may require.

Municipal officers may regulate rates of speed, etc.

Section 9. The first meeting of said company shall be called by a written notice signed by any one corporator above named

First meeting, how called.

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stating the time and place of meeting, served upon the other corporators above named, either personally or by leaving the same at the last and usual place of abode of each, at least seven days before the time of such meeting, or said first meeting may be called by a written notice signed by any one corporator, above named, stating the time and place of meeting, published in the *Machias Union*, a newspaper published at Machias, in said county of Washington, at least fourteen days before the time of such meeting. In either case, the certificate of the signer of the notice shall be sufficient proof as to the service of publication of the notice.

Authorized  
to build a  
branch line.

Section 10. The said Lubec, East Machias and Machias Railway is hereby granted the further right to build, equip, maintain and operate a branch of its line, with the same privileges, and subject to the restrictions conferred upon it in the preceding sections, from any point of its line or tracks within the town of Lubec to any point within the limits of said town of Lubec, or to any point within the limits of any of the towns above mentioned in this act.

Approved March 16, 1911.

### Chapter 124.

An Act to incorporate the Knox County Central Railroad.

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

Corporators.

Section 1. Cyrus F. Stackpole, William F. Curren, Harry J. Chapman of Bangor in the county of Penobscot, Jasper Wyman of Milbridge in the county of Washington, F. S. Wall of Vinalhaven in the county of Knox, and E. M. Coleman of Lincolnville in the county of Waldo, state of Maine, their associates, successors and assigns, are hereby made and constituted a body corporate, by the name of the Knox County Central Railroad Company; and the said corporation is hereby authorized to locate, construct, equip and operate a railroad from some point at tide water in the town of Friendship, county of Knox, through said Friendship, the town of Waldoboro in the county of Lincoln, the towns of Union, Hope, in the said county of Knox, the towns of Lincolnville, Searsmont, Belmont and to a point at tide water in the city of Belfast in the county of Waldo, and said corporation shall have all the powers, privileges and immunities, and be subject to all the duties and liabilities provided by the laws of the state respecting railroads.

—corporate  
name.

—powers and  
privileges.

—route.

—general  
laws made  
applicable.