

# MAINE STATE LEGISLATURE

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# Acts and Resolves

As Passed by the

## Seventy-Eighth Legislature

OF THE

## STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the  
Seventy-Seventh Legislature held in 1916.

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Seventy-Eighth Legislature

**1917**

[supplied from page 1 of volume]

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towns. Any person violating the provisions of this act shall be punished by fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment for thirty days.

Approved March 16, 1917.

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## Chapter 48.

An Act to Provide for Physical Connection and Certain Auxilliary Service between Steam Railroads and Electric Railroads.

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

**Sec. 1. Public utilities commission may require physical connection between electric and steam railroads.** Whenever it is practicable and the same may be accomplished without endangering the equipment, tracks, or appliances of either party, and whenever and wherever public convenience and interest require the same, the public utilities commission may, upon application and after reasonable notice and hearing, require the construction of physical connection between the tracks of any steam railroad company and electric railroad company (as hereinafter defined); the expense of constructing such physical connection may be apportioned by the commission in such manner as it may deem equitable, if the parties to any such petition are themselves unable to agree as to the distribution of the cost of such construction. Said commission may, upon application and reasonable notice and hearing, require any such steam railroad company to permit any electric railroad company to haul, by means of such physical connection, loaded freight cars containing what is called "carload lots" from the tracks of such steam railroad company to points along the line of said electric railroad company for unloading by the owners thereof the contents of such cars and to haul empty freight cars from the tracks of such steam railroad company onto the tracks of such electric railroad company to be loaded for shipment, and such steam railroad company shall accept each such loaded car and transport the same over its lines in accordance with the proper and lawful billing of the shipper of the contents of any such car. Provided that nothing in this act shall be construed to require through billing of freight between steam railroad companies and electric railroad companies; nor as requiring, or authorizing said commission to require any electric railroad to engage in interstate commerce.

**Sec. 2. Cars to be hauled over each other's tracks. Commission to establish regulations when corporations are unable to agree.** Whenever a physical connection has been made between the tracks of a steam railroad company and an electric railroad company, either voluntarily or by order of the public utilities commission, as provided in the preceding section, such steam railroad company or electric railroad company shall at reasonable times, for reasonable compensation, and under reasonable rules and conditions, draw over their respective tracks the merchandise and cars of the steam railroad company or electric railroad company as the case may be with which such physical connection is so established; provided such cars are of proper gauge, are in good running order, properly equipped and

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loaded, and otherwise safe for transportation; provided further, if the corporations cannot agree upon the times at which, or the rules and conditions under which, cars shall be drawn, or the compensation to be paid, the public utilities commission shall upon petition of either party and notice to the other and after hearing the parties interested, determine the rate of compensation and fix such rules, conditions and periods, having reference to the convenience and interests of the corporations and of the public to be accommodated thereby. Any agreement entered into between any two or more such corporations under this section, or any order of the public utilities commission hereunder, shall at all times be subject to annulment, alteration or modification by said commission after notice and hearing.

**Sec. 3. Auxiliary service, only, intended.** Steam railroad car to be returned to junction from which received. The duties imposed upon carriers and the authority conferred upon the public utilities commission by this act shall extend only to an auxiliary service by electric railroads, and said commission shall not be authorized to require any physical connection or service herein provided for in any case where there are existing steam railroad facilities which can be with reasonable convenience used by the persons who desire the above named electric railroad service. Whenever any steam railroad freight car is hauled onto the rails of any electric railroad company, such car shall be returned to the steam railroad at the same junction point where taken without other use than that for which such car was taken. It shall be the duty of said commission in making any order for physical connection and the service herein provided for to reasonably protect each steam railroad company from "short hauling" itself. Nothing herein contained shall be construed as requiring any common carrier to give the use of its tracks or terminal facilities to another carrier engaged in like business.

**Sec. 4. Terms defined.** The term "steam railroad" or "steam railroad company" as used herein shall be construed to mean any railroad or terminal company, however chartered, using steam as its motive power. And the term "electric railroad" or "electric railroad company" as used herein shall be construed to mean any railroad or terminal company using electricity as its motive power.

Approved March 16, 1917.

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## Chapter 49.

An Act to Amend Section Forty-eight of Chapter Fifty-six of the Revised Statutes,  
Relating to Inspection of Railroads.

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

**R. S., c. 56, § 48, relating to annual examination of railroads, and reports thereon, amended.** Section forty-eight of chapter fifty-six of the revised statutes is hereby amended by striking out all of said section and substituting therefor the following:

**'Sec. 48. Commission may appoint competent person to make examination. Inspection to be made annually, date not specified.** The public util-