

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

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SECT. 12. The first meeting of said corporation may be called by a written notice thereof, signed by any two of the corporators herein named, served upon each corporator by giving the same in hand or sending the same by mail to his last known place of residence.

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First meeting,  
how called.

SECT. 13. This act shall take effect when approved.

Approved February 28, 1891.

Chapter 129.

An Act to incorporate the Calais Electric Railway Company.

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

SECT. 1. Lemuel G. Downes, Charles R. Whidden, George H. Eaton, William A. Murchie, George R. Gardner, Archibald MacNichol, Frederick T. Waite, Judson S. Clark and Stephen S. Pineo, and such other persons as they may associate with them in the said company hereby established, and their successors, shall be a body corporate for the purpose of constructing and operating street railways under the name of the Calais Electric Railway Company.

Corporators.

—corporate  
name.

SECT. 2. The capital stock shall be one hundred thousand dollars, in shares of ten dollars each. The directors shall have absolute power and authority to transfer and issue stock to any person, in consideration for any claim or demand against the company, or in payment for any property, right or privilege granted by any person to the company, and such stock shall be full paid stock, the same as if actual cash had been paid therefor.

Capital stock.

SECT. 3. The company shall have the right from the going into force of this act, of constructing, maintaining and operating a line or lines of single or double track railway, with the necessary side tracks, switches and turnouts, and other appliances for the passage of cars, carriages or other vehicles upon and along such streets of Calais as the city council may permit, beginning at the end of the Ferry Point bridge, on the right bank of the river Saint Croix, through the entire length of Main, Point and Depot streets, through North Milltown, Union or Monroe streets, and any of their

Authorized, to  
construct a  
railway.

—route.

## CHAP. 129

intersecting streets, from the point where they leave Main street to the Upper bridge, so called, in Milltown, or along any other street or streets said company may require for street railway purposes, now laid out or to be laid out in said city of Calais, subject to the approval of the city council thereof. In case said road, after its construction, shall not be operated for one year, the city council may order the rails taken up and the streets properly repaired, and procure the same to be done and pay the expense thereof out of the proceeds of the sale of said rails. Said company shall, at all times, so construct its railroad as not to interfere with the grade of the streets, and said city shall, in no event, be liable for damages for any change of the street grade.

—If not operated, city council may order rails taken up.

Tracks, shall be laid on streets designated by city council.

SECT. 4. The tracks are to be laid in such parts of the streets as the city council shall direct; the gauge of track to be four feet eight and one-half inches. The city council shall have the right to designate the streets over which said railroad shall run, and said company shall build upon the streets so designated, or upon failure so to do, said city of Calais may build, maintain and operate said railroad upon said street or streets at the expense of this company.

Roadway, shall be kept in good repair.

SECT. 5. The roadway between the rails, and for two feet outside of the rails, to be kept in good repair by the company, and all rails to be kept not over one inch above the level of the street.

Cars, shall be approved by council.

SECT. 6. The cars to be of an improved kind, approved by the city council, and to be propelled by electricity. The cars shall be maintained by the company in good order, and in a clean state, and run over the entire line daily; horses to be provided with bells and cars with signal lights. Said company shall provide for the disposal of ice and snow from or near the track so as to prevent the unnecessary obstruction of the street; and if the said company, when notified by the street commissioner, fails to comply with this provision, then said commissioner may dispose of the same at the expense of the company. Barges approved by the city council, propelled by horses or other motive power, may be run in winter.

Company shall remove snow and ice.

—fares.

The minimum rate of a single fare to be five cents, except to school children, to whom forty tickets shall be sold for one dollar. The city of Calais shall not be liable to pay for any damage to persons or property occasioned by any negligence or fault of said railway during construction or operation.

—city not liable for any damage.

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SECT. 7. The company may purchase, lease, hold, acquire and transfer all real and personal estate necessary for carrying on the operations of the company.

Company may hold real estate.

SECT. 8. No officer, director or stockholder of this company shall be liable for the debts of this company in his person or separate estate, unless, he shall have rendered himself liable for the same by becoming surety therefor in writing.

Liability of officers and stockholders.

SECT. 9. The directors of this company may, from time to time raise or borrow for the use and purposes of the company, any sum or sums not exceeding in the whole, one hundred thousand dollars, by the issue of bonds or debentures in sums of not less than one hundred dollars, on such terms and credit as they may think proper, and may pledge or mortgage all the tools, property, franchise and income of the company or any part thereof, for the repayment of the moneys so raised or borrowed and the interest thereupon, provided, always, that the consent of a majority in value of the stockholders of the company, shall be first had and obtained at a special meeting to be called and held for that purpose.

May issue bonds and mortgage property.

SECT. 10. If the laying of the track of the company should interfere with the gas or water pipes now laid in the city, all such damage shall be made good by the company.

Damage to gas and water pipes, shall be made good by company.

SECT. 11. The city council of Calais shall have the power at all times to make all such regulations as to rate of speed and the mode of the use of the track of said railroad within said city, as the public safety and convenience may require.

Council, may regulate speed.

SECT. 12. Said corporation shall be liable for any loss or damage which any person may sustain by reason of any carelessness, neglect or misconduct of its servants or agents, or by reason of any defect in so much of said streets or roads as is occupied by said railroad during construction or operation, if such defect arises from neglect or misconduct of the corporation, its servants or agents; and in actions brought against the company to recover damages by reason of such defects, the plaintiff shall have the rights and be subject to the burdens of proof and limitations and conditions provided by the general statutes applicable to suits for such causes against towns, the directors of said company standing in this respect in place of town officers.

Liable for all damages.

—how to be ascertained.

SECT. 13. If any person shall willfully and maliciously obstruct said corporation in the use of its road or tracks, or the passing of the cars or carriages of said corporation

Penalty for obstructing corporation.

**CHAP. 130**

thereon, such person, and all who shall aid and abet therein, shall be fined not exceeding two hundred dollars, or imprisoned in a county jail not exceeding sixty days.

First meeting  
how called.

SECT. 14. The first meeting of incorporation under this act, may be called by either of the corporators giving notice to the others in writing, at least seven days before the time of said meeting, of the time and place of said meeting.

When act shall  
be void.

SECT. 15. This act shall have no force or effect unless work shall be begun on the road within two years from the passage of this act, and the road from Ferry Point bridge to Milltown, completed within three years from date of the passage of this act.

SECT. 16. This act shall take effect when approved.

Approved February 23, 1891.

**Chapter 130.**

An Act to prohibit the taking of fish from Symm's Pond, so called, in the town of Newfield.

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

Taking of fish  
from Symm's  
pond, in  
Newfield,  
prohibited.

SECT. 1. All persons are hereby prohibited from taking fish of any kind from Symm's pond, so called, in the town of Newfield, for the term of three years, under a penalty of five dollars for each fish so taken from said pond, to be recovered on complaint before any trial justice, municipal or police court in the county of York, one-half to the prosecutor and one-half to the county of York.

—penalty.

SECT. 2. This act shall take effect when approved.

Approved February 23, 1891.

**Chapter 131.**

An Act to prohibit the taking of trout from the Woodsum Brook in the town of Harrison.

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

Taking of trout  
from Woodsum  
brook in  
Harrison,  
prohibited.

SECT. 1. All persons are hereby prohibited from taking in any manner, any trout from Woodsum brook in the town of Harrison, for the term of five years, under a penalty of