

# MAINE STATE LEGISLATURE

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# Public Documents of Maine :

BEING THE

ANNUAL REPORTS

OF THE VARIOUS

PUBLIC OFFICERS AND INSTITUTIONS

FOR THE YEARS

1872-73.

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AUGUSTA :

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1873.

# REPORT

OF THE

## RAILROAD COMMISSIONERS

OF THE

STATE OF MAINE,

FOR THE YEAR

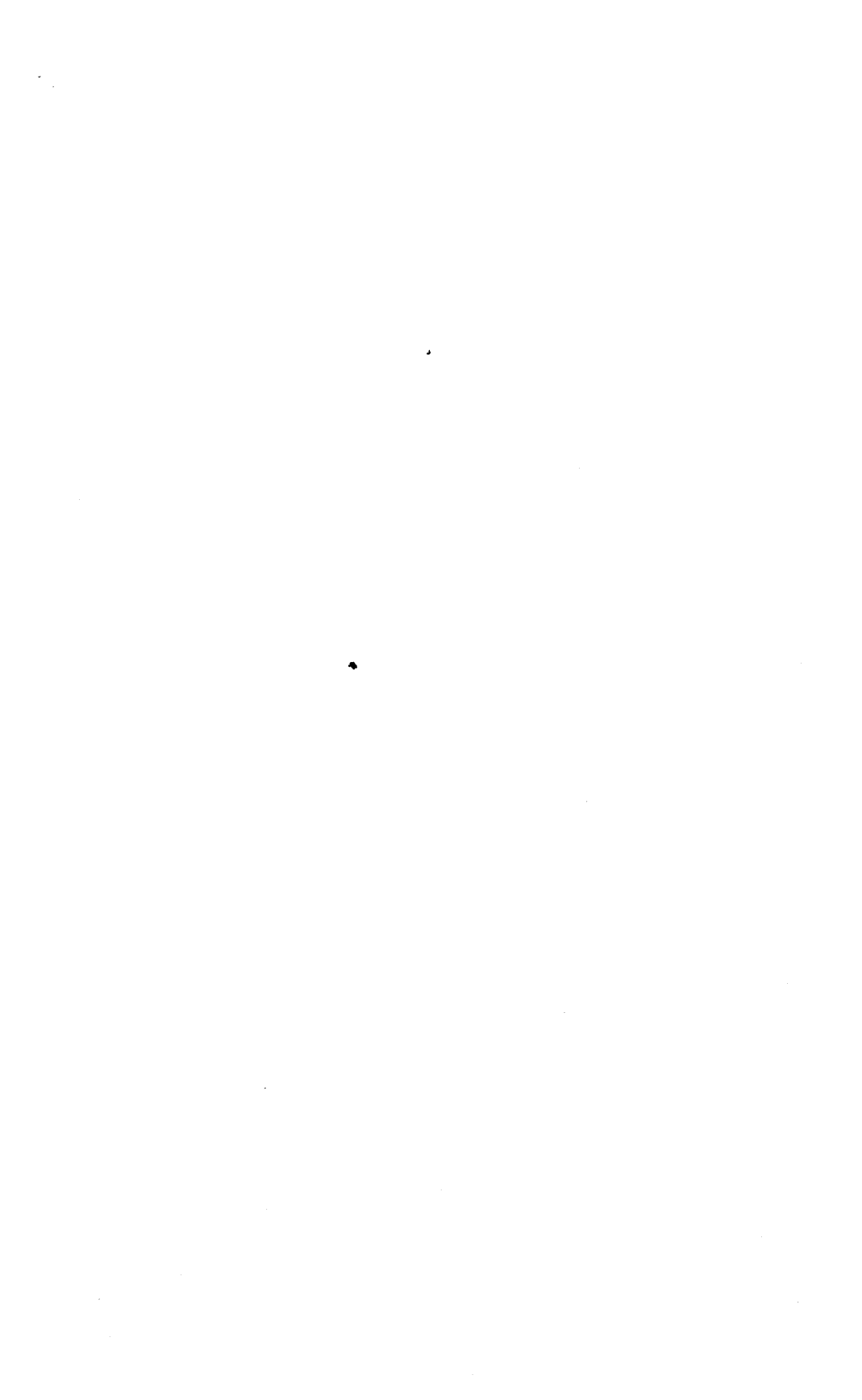
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# REPORT.

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*To the Governor :*

The Railroad Commissioners respectfully submit their annual report.

The Commissioners, early in the season, went over most of the railroads of the State, with the road-masters and bridge-builders of the respective roads in special trains. The superintendents and engineers sometimes accompanied us. We stopped at the bridges to examine and test them and at such other places as the culverts, or road-bed or track indicated were in want of repair, or where the suggestion that improvement was practicable occurred to us or to the officials of the road. We have since made other examinations of the several roads, with the exception of the "Houlton Branch"—some of them, and such portions of others as we deemed necessary, we have inspected several times, and have advised, as we did last year, repairs and renewals from time to time, whenever in our judgment the preservation of the road demanded them, or its prospective unsafety justified them as precautionary. We regret that by reason of railroad engagements elsewhere we were unable to accept the invitation of the chief engineer of the Maine Central to accompany him in a tour of inspection, made late in the fall, over his road and its branches, in order to examine the work done during the season, and to see its then condition. We had, however, but recently been over it. Roads cannot be too often examined by employees in charge of them.

The duty is imposed by statute upon the Railroad Commissioners "annually, between the first day of April and October, and at any other time, upon application or without, when they think necessary," to "carefully examine the tracks, rolling stock, bridges, viaducts and culverts of all railroads." And in case they are found upon such examination to be unsafe for travellers, it then becomes the duty of the Commissioners to notify the managers of the road in fault of its condition, and if not repaired

within the time required by the Commissioners, to inform the Supreme Judicial Court, by petition, of their examination and requirements and the refusal of the managers to comply. This trust confided in us we have endeavored faithfully to perform. Besides jurisdiction is given us "in case of disagreement of the managers of crossing and connecting roads, to determine and award the rates for transporting passengers, freight or cars over the road of each or over any road on which either is a common carrier by contract or otherwise"—also, when a "serious accident occurs on a railroad and any person is thereby injured," to examine into the cause and make report thereof—also, chapter 204 of 1871, "upon petition of responsible parties, representing that the public convenience and necessity require the erection and maintenance of a depot for freight and passengers, or a passenger station on the line of any railroad," to order the erection of such depot or station.

And the more delicate and often very responsible authority is entrusted to us of taking real estate for the use of a railroad outside its location, for "side tracks, depots, wood-sheds, repair shops, and car, engine and freight houses"—and "land and the materials thereon for borrow and gravel pits"—also the jurisdiction conferred by section 2 of chapter 32 of acts of 1872, that "no railroad company shall take the grounds occupied by any other railroad company and necessary for its use for depot purposes, without the consent of such company. When application is made to take any such grounds, the railroad commissioners, upon notice and hearing thereon, shall determine whether the land proposed to be taken is necessary as aforesaid or not, and whether any public necessity requires it to be taken;" which jurisdiction, if clear in the conception of its author, is obscured in its expression. Also chapter 219 of 1871, to approve of the location of "branch tracks" to mills in towns through which the main line is or may be constructed.

And such questions as have arisen during the year under any of these respective heads of jurisdiction, we have heard and decided with the judgment vouchsafed to us and after most careful and patient examination of the law and facts appertaining to them, and as we said in our report of last year, "some of these questions show how important is railroad transportation to certain of the productions of the State, and others illustrate how closely and unobservedly the railroad has interlaced itself around the in-

dustries of the State, like the root of a tree around logs and stones in its outreaching after sustenance and support."

Trains have been run during the year with more regularity, excepting upon the P. and O. C. railroad, than in preceding years and generally with greater freedom from accidents. The railroad management of the State has, we think, been commendably vigilant of its duties and careful of the lives and property entrusted to its care. As the roads of the State are improved and the discipline of employees is made more perfect, disasters, which are always the fault, remote or proximate, of somebody, will be less frequent. Accidents befalling employees from their own inattention, or happening to strangers from their own carelessness, cannot ever always be avoided.

*St. Croix and Penobscot Railroad.*

We have examined this road twice during the year, and are gratified by the improvements made upon it since last season. The bridges at Baring and Sprague's Falls, across the St. Croix, have been greatly strengthened, and the Dyer pond and Union bridges have been materially improved. About 3,000 new ties have been put down and 40 tons of new iron laid, but the track requires raising upon a large portion of the road, with largely new ties and new iron, in the same excellent manner in which portions of it have been done this season. Mr. Sawyer assures us he is going right on to repair and improve as fast as practicable, and as means at his disposal will permit, until he makes the St. Croix and Penobscot a first-class road.

The equipment of the road consists of 6 locomotives, 4 passenger cars, 5 baggage cars, 193 lumber cars, 24 flat cars and other lighter stock sufficient for the purposes of the road, and this equipment has had an expenditure upon it during the year, Mr. Sawyer thinks, of about \$8,000, principally upon the engines, and is, with the exception of one of the locomotives, in very fair condition.

The road is 22 miles long. Its bonded debt, January 20, 1872, was \$237,700; floating debt, \$8,504.45; total indebtedness, \$246,204.45. Earnings in 1871 were \$87,752.67; repairs and running expenses, \$59,834.75; net earnings, \$27,917.92. The number of miles run were 49,452. The receipts from passengers were \$10,677; from freight, \$73,437. The road is economically and, we think, well managed.

The extension of the road to Grand Lake stream, 13 miles toward a connection with the E. and N. A. R. R., as contemplated last year, has not been made, by reason of the advance in iron and the high price of money and labor. This extension of 13 miles will be built to accommodate the tannery at Grand Lake stream, which is said to be planned for the largest in the world, and it will be extended to a connection with the E. and N. A. railroad sooner or later, better to accommodate the travel of Calais and St. Stephens going west.

George M. Porter, Esq., a merchant of St. Stephens, is President. W. W. Sawyer, Esq., of Calais is Superintendent.

*"Houlton Branch" of New Brunswick and Canada Railroad.*

This "Branch" starts at a point on the New Brunswick and Canada Railroad five miles from the boundary line and extends three miles into the State to Houlton, making its entire length 8 miles. This branch was opened in 1870 and is very well made. It is particularly well sleepereed, but has been only partially ballasted. The sleepers are large and thickly placed in track, so that the rails are as yet but little bent; the durability of the road however, if not its safety, requires that it be better gravelled.

The rolling stock used is that of the N. B. and Canada Railroad, and is adequate to the demands of this branch upon it. The superintendent being out of the State, has not noticed the law of the State requiring "road signs," and there is neglect in places in having two bolts only to fasten the rails, where four should be used.

The depot buildings at Houlton are convenient and suitable for the place, but are most unfortunately situated. They are nearly a mile from the centre of the business of the town, uphill, upon elevated land. Better engineering, we think, would have brought the road into the town some distance south of the village, and thus have enabled the depot to have been located upon the flat, on a level with the Meduxnekeag.

In preliminary surveys of railroad routes, the whole field is not always looked over before a portion is prematurely and definitely located, and then sometimes an unwise further location is necessitated, or an unfortunate site for depots rendered inevitable. Houlton is upon the border, is a live, active town, and its enterprising citizens need further railroad facilities in the direction of commercial centres, instead of out of the State, and the State



needs the development a road would give extending from Meduxnekeag flats in Houlton, or from some point on the E. and N. A. Railroad, to Presque Isle, and through the heart of Aroostook.

Henry Osborne, Esq., of St. Andrews, is Managing Director. James Crangle, Esq., of St. Stephens, is Superintendent.

*Consolidated European and North American Railway.*

The portion of this road in Maine is in good condition. The section between Mattawamkeag and Vanceboro' has had a construction train upon it most of the season, and is greatly improved. The slopes that we noticed last year as being cut at too sharp an angle, are sliding down, from the action of the weather upon the loose earth, and acquiring a natural inclination, in which they will remain firm and stationary.

The road-bed was originally made quite too low, and though a saving in the cost of construction was effected thereby, a great outlay in consequence has become necessary to raise it high enough for proper drainage and to protect it from washing in the summer and from the forming of ice upon the rails in winter. Some of the bridges were also laid too low, by reason of the low subgrade, but they have been raised, and we have in other cases advised stronger and more permanent structures where the present trestle work is, we think, too light. A large extent of snow-fence has been put up in places where the experience of last winter taught its necessity. The road rides well for so new a road. The raising of the track, so far as done, has improved the drainage, but other portions of the track require lifting. Another span of the bridge over the Kenduskeag, at Bangor, has been removed and crib work substituted, which is a material improvement, and an embankment put in between two of the Oldtown bridges, in lieu of trestle work.

The company have enlarged and greatly improved their depot grounds at Bangor. Their passenger and freight accommodations there are now accessible and convenient, and freight arriving by way of the river or coming by train and destined westward by water transportation, is loaded or unloaded upon the wharves of the company with ease and despatch.

The rolling stock consists of 15 locomotives, 15 passenger cars, 5 baggage, mail and express cars, 302 freight cars, some in good condition and some needing repairs.

The portion of the road in Maine is 114 miles; the bonded debt

upon it is \$3,000,000. The portion in New Brunswick is 88 miles, and the debentures upon it are \$2,000,000.

	Gross Earnings 11 months, 1871.	11 months to Dec. 1, 1872.
Freight,	\$134,317 56	\$170,311 72
Passengers,	107,239 38	173,282 97
Mails,	7,132 76	14,969 81
Other sources,	8,518 18	9,009 69
	<hr/> \$257,207 88	<hr/> \$367,574 19

Repairs, running expenses, &c., \$125,986.92; expenses about \$202,285.17.

Miles run—Freight trains, 82,220 miles; passenger trains, 72,070. Passenger trains about 24 miles per hour, freight trains about 12 miles per hour.

Articles of union and consolidation have been entered into between the European and North American Railway company of Maine and the western extension of the European and North American Railway of New Brunswick. By this act of consolidation the two companies became merged into one on December 1st, 1872, and a new corporation by the name of the Consolidated European and North American Railway Company takes their place and will hereafter be under one direction. This oneness of management will probably tend to the greater convenience of travellers and to efficiency and economy of administration.

The link between Amherst and Truro in the Inter-colonial railroad, that we alluded to in our report of last year as then unfinished, has been completed; so that there has now been opened direct railroad communication between Bangor and Halifax, N. S., 45 miles via St. John, N. Brunswick. And thus these three cities of the east have been united by rail and telegraph, and the business relations between them will in the future we trust, grow larger and more friendly year by year, to the mutual benefit of Maine and the Provinces.

G. K. Jewett, Esq., of Bangor, is President; E. R. Burpee of St. John, is Vice President; M. H. Angell of Bangor, is Superintendent; H. D. McLeod of St. John is Assistant Superintendent, and Hon. N. Woods of Bangor, is Treasurer.

*Portsmouth, Great Falls and Conway Railroad.*

This road commences at Conway Junction, upon the Portland, Saco and Portsmouth Railroad, in South Berwick, and crosses the

Boston and Maine at Salmon Falls, into New Hampshire, and then re-crosses the Salmon Falls river into the town of Sanford, and thence after running about three-quarters of a mile crosses the river again into New Hampshire. Its entire length of track in the State is about  $4\frac{1}{4}$  miles. It is under the management of the Eastern Railroad Company.

The bridge over Great Works river, which we last year advised the Superintendent should be rebuilt, has been taken down and a new one put up in its stead. The bridge is now satisfactory, strong and safe, and the track and the other bridges are now in good condition. The road has heretofore extended to Conway, N. H., 65 miles; this season it has been extended and opened to North Conway, 5 miles further, with a view of accommodating the pleasure travel to the mountains.

George H. Brown, Esq., of Boston, is President. A. A. Perkins, Esq., Superintendent.

#### *Boston and Maine Railroad.*

This road, in its Maine portion, has heretofore extended only from Salmon Falls to South Berwick Junction,  $2\frac{1}{2}$  miles. But the Legislature of Maine in 1870 granted it leave to extend to Portland, 44 miles, and this extension has been made the past season and the rails laid, though it is not yet opened for business.

The  $2\frac{1}{2}$  miles remain in excellent condition, as always heretofore, and the rolling stock used upon it is of the best character. The extension leaves the old road at the State line, and when opened, the  $2\frac{1}{2}$  miles will cease to be a part of the main line.

The gross earnings of the Boston and Maine, for the year ending September 30, 1872, were \$2,046,142.19; the expenses \$1,542,026.00; revenue, \$504,116.19.

The rolling stock consists of 50 locomotives, 102 passenger cars, 23 baggage cars, 1,222 freight cars.

N. G. White, Esq., of Lawrence, is President. Wm. Merritt, Esq., of Boston, is Superintendent.

#### *Bangor and Piscataquis Railroad.*

This road is in better condition we think, than ever before. It requires in places more gravel, but a great deal has been put upon the track this season. The gravel from the pit at Milo which the company have used largely this season is the best we have noticed

in the State. Mr. Elms, the road-master, keeps his road-bed clean, the ditches well cleared out and the track as high and dry as the amount of gravel distributed will permit.

The extension from Dover to Guilford was completed last year, and this season a suitable freight and station house has been put up at the terminus at Guilford.

There has been during the year a small gain in the freight and passenger traffic of the road. The business from the slate quarries at Brownville has not quite reached the amount anticipated—it will, however, probably be larger another year—but new quarries have been opened at Monson of most excellent quality, which promise a large increase of this kind of freight, and in case of an extension of the road to Monson an amount equal perhaps to the carrying capacity of the road.

The earnings of the road for the year ending June 1, 1872, were:

From Freight.. .. .	\$83,946 42
Passengers .. . . .	35,036 40
Mail service.....	2,141 97

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\$121,124 79

Expenses including amount paid European and North

American Railway.....	88,008 46
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\$33,116 33

The net earnings of 1870, were..... 24,829 58

It appears from the very clear statement of the Superintendent in his report to the president and directors, that passenger trains have been run during the year 29,006 miles, freight trains with passenger cars attached, 29,124; wood and construction trains, 14,922. The number of passengers was, 28,801; tons of freight, 29,698.

The principal items of freight were 15,194 squares of slate, 21,945,000 shingles, 401½ thousand clapboards, 1,238,000 feet long lumber and 13,071 tons general merchandise. These are interesting statistics, as indicating the prospects of the road and its probable future effect upon the growth of Bangor.

The rolling stock of the company consists of 4 locomotives, 2 passenger cars, 2 baggage cars, 26 box cars, 46 flat cars and other usual and smaller equipment.

The bonded debt of the city of Bangor is upon the first forty miles, \$600,000—6 per cent.; upon extension to Guilford, 8 $\frac{17}{100}$

miles, \$122,000—7 per cent.; second mortgage bonds, \$200,000—6 per cent.; total, \$922,000. The floating debt, besides the \$39,400 advanced by the city to pay coupons and unliquidated land damages upon extension is understood to be some \$10,000.

The road has apparently been well managed the year past, but it has not been able to pay the entire interest upon its first mortgage bonds. The city of Bangor has been obliged to advance about \$39,400 to pay coupons maturing upon its bonds loaned in aid of its construction; and the \$200,000 of stock the city took in the road besides the loan of its credit, will probably be lost. Will the city derive advantages from the opening of the road commensurate with this loss, and its future liability for accruing interest and maturing bonds? It is certainly to be hoped that it may. It probably will.

But it will not be unwise, surely, for other communities that may be uneasy under the restraint of raising money for municipal purposes merely, to remember that railroads are costly to build and expensive to maintain, and further, to well consider whether a large business ought not already to exist or be sure of development, to justify the great outlay necessary to their construction and maintenance afterwards. For though railroads have become a necessity in Maine, like other highways, they are so only where "common convenience and necessity" require them. Or, if they are asked for upon the ground that they will awaken resources that the public cannot afford to let lie dormant, or that they will open elements of commercial growth heretofore locked up in the quarry or inaccessible in the forest, then, certainly, as experiments in a new field, they should commend themselves to the soundest judgment and to an urgent public exigency, before a wise administration of municipal affairs would be justified in stepping over the line of its appropriate duties to engage in an enterprise that by any possibility might be a failure,—even if it be quite honest to coerce a dissenting minority to contribute toward an undertaking not alleged to be of public necessity, that is outside the sphere of its corporate duties and foreign to the purposes for which towns and cities were organized and in which it has no faith.

Hon. Isaiah Stetson is President. L. H. Eaton, Esq., of Bangor, is Superintendent.

*Atlantic and St. Lawrence Railroad.*

This road extends from Portland to Island Pond, 149 miles. The portion of it within this State is 82 miles. It was on 5th of August, 1855, leased to the Grand Trunk road of Canada for 999 years, and is quite generally spoken of as the "Grand Trunk," as if it were technically, as it is practically, a part of the Canadian road.

The road is now in fair condition. Five miles of track have been newly ballasted, 12 1-4 miles of new rails have been laid, 39,182 new ties have been put in, many miles of new fencing have been rebuilt. There are still many, too many, crushed and worn rails in track, and the road, never well ballasted, is suffering in places for more gravel. Better attention to drainage and ballasting would add greatly, we think, to the durability, if not to the safety of the road. South Paris bridge, destroyed by fire, has been replaced by a quadrangular or Pratt Girder, made by Messrs. Clarke, Reeves & Co. of Phoenixville, Pennsylvania. The clear span is 120 feet, and the new bridge is a fine iron structure. Other bridges have received general repairs, and the company have on the ground a similar Pratt Girder to replace the North Yarmouth bridge. The apparently strong wooden bridge at Mechanic Falls is also to be taken down in the spring, and an iron bridge now ready for shipment at Phoenixville, we are told, is to be placed in its stead. The company intend, as we are informed by the Engineer department, to renew in iron all bridges over 100 feet span and now of wood, as speedily as they can erect them, a contract with Messrs. Clarke, Reeves & Co. being already made therefor. The Grand Trunk has always been distinguished for its good bridges upon its Portland division and is entitled to favorable mention for the wise policy it is now adopting in substituting iron for wooden trusses.

The business upon the road is very great, and the wear and tear are proportionate to the magnitude of traffic upon it, and we are aware, therefore, how very great the outlay must be to keep it up in all its important, if not essential requisites, but trust that the marked improvement of the road for the three years past may be an assurance to us of a policy which shall soon raise this great thoroughfare for passengers and freight, to a grade of excellence that may challenge comparison with the first-class railroads of the country. No road has now better bridges, but it needs new rails, better drainage, more gravel and new ties. The Atlantic and St.

Lawrence railroad is a part of one of the grandest undertakings on the continent, and the more perfect it is made and the better it is kept up as a first-class road the more it will contribute, we believe, toward the success of the main and grand enterprise.

The experiment of using steel rails between Sarnia and Island Pond is proving very satisfactory. The main line of the Grand Trunk is 900 miles—of this 300 miles is laid with steel rails, and the Hon. Mr. Potter, President of the company, stated in his speech at the meeting of the stockholders on the 28th November, at London, that last winter there “were 6,000 iron rails which broke upon our line, every one of which had to be renewed, and every one of which might have occasioned a run off the track by our trains and some of which did occasion them during the same time. During the whole of this year there have been only seven rails of steel that have broken. Now along this 600 miles of iron way I say it is an incessant struggle by large gangs of men in order to keep the line safe.”

Last year the managing director of Canada said he should “lay steel rails upon the American portions of our line were it not that the very high duty rendered it impossible to encounter the expense.” And we are glad to notice the opinion expressed at the London meeting that steel rails are in the end the cheapest, and to infer therefore, that the difficulty of the higher cost may in some way be obviated so that the Maine portion of the road may enjoy the safety and have the permanency afforded by steel rails. The experienced engineer of the Grand Trunk adds his confirmation of the opinion of the London stockholders, and says that “the percentage of breakage on the quantity laid is infinitesimal, that their wear is satisfactory, their surface is even and that none have been removed through flattening or roughness as is so common with iron rails.” Mr. White, President of Boston and Maine road, in his report to the stockholders September 30, 1872, says, “during the year we have laid twenty miles of steel rails, and it is gratifying to be able to state, he says, that the steel rails heretofore laid down have as yet shown little or no sign of wear.”

The capital stock of the Atlantic and St. Lawrence Railroad is \$4,000,000; amount of stock paid in, \$3,994,900; amount funded debt, \$3,483,848; cost of road equipments, \$7,654,089.48.

Miles run by passenger trains during the year, 158,550; miles run by freight trains, 623,281; miles run by other trains, 38,825; total, 820,656.

Passengers carried through, 36,167; way, 147,515; total, 183,682.

Tons of merchandise carried: Through traffic outward, 36,724; through traffic inward, 252,741; way traffic, 163,728; total, 453,193.

Income—receipts from passengers.....	\$250,151 61
Freights .....	848,331 62
Other sources.....	47,672 92
	<hr/>
	\$1,146,156 15
Total expenses.....	1,095,730 85
	<hr/>
Net income.....	\$50,425 30

Rate of transporting passengers, three cents per mile. Rate of speed including stops: Passenger trains, 20 miles per hour; freight trains 11 miles per hour.

The gross receipts of the Grand Trunk in the twelve months ending June 30, 1872, were \$8,783,462; expenses, including renewals, \$6,739,947, and the net revenue, 2,043,515.

The gross receipts from June 30th to November 30th, 1872, were \$4,089,698, which is an excess of the amount received for same time in 1871 of \$153,501.

The working expenses for the half year ending June 30, including renewals, were 77.31 per cent. of the gross earnings, against 76.87 per cent of the gross receipts for the corresponding period of 1871. Exclusive of renewals, the ordinary working expenses were 68.48 per cent. against 68.26 per cent. of receipts.

The number of passengers for the six months ending June 30, 1872, was 733,748, averaging 6s. 5d. sterling; tons of freight 737,361, averaging 16s. 3d. Number for six months ending December 30, 1871, was 961,432, averaging 6s. 1d.; freight 789,231 tons, averaging 15s. 5d.

Number of miles run by all the trains on the Grand Trunk for the year, including wood and engineering trains, 9,693,960.

The rolling stock of the Grand Trunk as appears by semi-annual report of Richard Eaton of Montreal, Locomotive Superintendent, on June 30, 1872, consisted of 353 engines, 330 passenger cars, 4011 freight cars, and this equipment is used on the Atlantic and St. Lawrence Railroad without special assignment of portions of it, as is needed.



Hon. John B. Brown is President of Atlantic and St. Lawrence Railroad Company; Charles E. Barrett, Esq., Portland, is Treasurer; Hon. Richard Potter, London, is President of Grand Trunk; C. J. Brydges of Montreal, is Managing Director. Henry Bailey, Esq., is Local Superintendent. Joseph Hickson, Esq., is Treasurer.

*Portland and Oxford Central Railroad.*

This road has for some time been in hospital and we regret to say it is not convalescing. It remains in bad condition as heretofore.

On the 19th and 20th of June we examined the road carefully and found it so out of repair as to be unsafe for travellers over it. A large portion of the sleepers between Mechanic Falls and Buckfield were too rotten to hold the spikes or keep the rails in place; and between Buckfield and Sumner there were also many unsound ties; and between Hartford and Canton the road was so out of alignment and surface as to be dangerous for cars to pass over it. The trestle work upon the approaches to the Buckfield and Sumner bridges was weak and insecure. There were two wash-outs over which temporary trestle work had been thrown that required immediate filling, and the enlargement of the culverts.

Pottle bridge, that was put under an order of injunction by the Supreme Judicial Court at Paris, September term, 1871, against the running of cars with passengers over it as stated in detail in our Report of last year, remained still unsafe in our opinion and we declined to give our "permission" for the passage of cars over it to relieve it from the injunction. There were other defects in the road, therefore we immediately notified the managers of said railroad of its condition of unsafety, and fixed and specified in our said notice the repairs necessary and the time within which they should be made, with a view of making the same safe for travellers by car thereon. We gave said notice on the 21st June, and therein required the stated repairs to be made on or before the 29th July, 1872.

On the 30th and 31st of July we went over said road for the purpose of seeing if the repairs ordered by us had been made and found that they had not been, and that the road still remained out of repair and unsafe. On the 3d August we petitioned the Supreme Judicial Court as provided in section 75 of chapter 51 of the revised statutes, "to order such things to be done by the mana-

gers of the road as the court might deem necessary to secure the safety of travellers thereon" with a view of an injunction, in default of a compliance by the road with such order, against the running of passenger trains thereon.

This was all which as railroad commissioners the law authorized us to do. We believed the road unsafe, and should have stopped the running of passenger trains upon it at once if the right to do so had been vested in us by statute.

Upon the return of our petition at the September Term of the Supreme Judicial Court at Paris, the earliest day we could by statute make it returnable, Mr. Foster, County Attorney, moved for such order as the statute, section 75 aforesaid, authorized with bond and sureties for compliance with such order, or else that injunction might issue as by said 75 section provided. The court in response passed the following order:

"OXFORD, ss.—September Term, A. D. 1872. Railroad Commissioners, Petitioners *vs.* Portland and Oxford Central Railroad.

"Ordered by the court that the defendant corporation cause said railroad and its bridges, culverts and embankments to be put, on or before the first day of December next, in safe running repair for passenger cars at the rate of speed designated by order of the Railroad Commissioners, made on the 21st day of June now last past, and that the further hearing of the parties on the said petition be had on the first day of the next term of this court in this county." The court probably were "otherwise" than by bond and sureties "satisfied" the road would be so repaired.

But the repairs were not made as required by said order of the court at September Term and at the December Term of said court at Paris, the government suggesting that the respondents were in contempt of court by nonperformance of the order aforesaid, again moved the court that respondents be required to show why they had not complied with said order, and for a new order and an injunction, if bond and sureties for its compliance were not furnished, as provided as aforesaid.

The respondents refused to give bond and sureties—and the court felt that it could not direct an injunction to issue without the statement of the Railroad Commissioners from their personal knowledge that the road was then, at the hearing, unsafe, with specific information also derived from their recent personal inspection as to the repairs then needed, upon which to base the "order" preliminary to an injunction. This specific information, derived

within a day or two from personal inspection, the Railroad Commissioners could not give the court, because the time allowed respondents by the order of September Term did not expire until December 1st, and on and after *that day* the road was blocked up by snow and cars did not run upon it. We attempted to go over it on the 3d December, but found the trains had not resumed running since the storm of the 1st instant, and the track and ties and rails were all buried four or five inches in snow and could not be seen.

The case was therefore again continued to March Term of the court. During the intermediate time the road may remain under the injunction thus prematurely imposed by the high court of storms, and when this is dissolved the managers of the road may wisely decide to repair it, or in case of their neglect to do so, it may then be practicable to make more effective the provision of the law for the "safety of travellers" by a more fearless and just application of it, or, as the law seems to be imperfect, by way of such amendment of it as the wisdom of the coming Legislature may adopt.

*Pottle Bridge.*—On June 1, 1872, F. B. Smith, Esq., President of the road, wrote to Mr. Corser of our board, advising that this bridge had been repaired as required by our order, and requesting an examination of it to be made with a view to our "permission" as required by the order of injunction of September Term, 1871, for trains to pass over it. Immediately upon receipt of this letter of the President on the 7th June, we again examined the bridge and found that it had been strengthened, but not sufficiently in our opinion to render it safe; and we declined to give the consent asked for to the removal of the injunction and have not given it since. The bridge still remains unsafe.

On the 22d June, 1872, we advised the Attorney General of the order of injunction of September Term, 1871, and that trains with passengers were passing over the bridge in violation of the order of the court.

On the 15th May, 1871, as stated in our Report of last year, many citizens of Hartford upon the line of this road presented us a petition under statute of 1871, chapter 204, asking the establishment of a depot at Hartford Centre. Upon this petition a hearing was had, and it appearing to us that public convenience and necessity required a depot as prayed for, we ordered its erection

within thirty days. The respondent road objected to the constitutionality of the law authorizing the Railroad Commissioners to order the depot, and the case was made "Law" at the September Term of the Supreme Judicial Court at Paris, and was argued by the Attorney General for the State at the subsequent Law Term at Portland.

We regret the "Law Court" have not yet found time to give an opinion in this case. For though the respondent corporation claim exemption under their charter from the statute of 1871, chapter 204, and thus interpose a constitutional objection to the enforcement of the order of the Railroad Commissioners, it is nevertheless true that more than a year has elapsed, pending the question thus raised, since "public convenience and necessity" asserted their right, under a formal enactment of the Legislature, to the easement prayed for and have in the mean time been delayed of its enjoyment, and are still suffering from its deprivation.

The Portland and Oxford Central Railroad is  $27\frac{1}{2}$  miles long, commencing at its junction with the Grand Trunk at Mechanic Falls and terminating at Canton. The company authorized some years since a bonded debt of \$240,000 but only \$218,000 is said to have been issued. The equipment is small, old and worn.

This road passes through some fine towns, and if properly repaired and equipped and assurance given that trains would run regularly upon it, would, we believe, do a successful business and be of great service to the communities through which it passes. Buckfield, on its line, is central in its location—has always been a point of large distribution of merchandise—has a good water power, and has recently started some manufacturing industries and it has an enterprising thrifty population, which availing itself of these local advantages, would gladly enhance them to its own benefit and to the very great benefit of the road as well, if confidence were inspired that customary railroad facilities were to be assured for the future.

Canton, too, is a village of considerable business and wealth and waits only the railroad accommodations it has paid for and deserves, to double its population and thus to react upon the road by an increase of its contribution of business.

F. B. Smith, Esq., of Canton, is President and managing Superintendent.

*Portland and Ogdensburg Railroad.*

This road was opened to North Conway, N. H., sixty miles from Portland, in August 1871. The portion in Maine is fifty miles, and it has already earned for itself a prominent place in the public esteem by its good management. Its trains have been regular. It rides well. The track and rails are in good condition. Its drainage has been well attended to. It passes through a country for a large portion of its way where the soil was favorable to easy construction and to cheap maintenance. During the past year many improvements have been made upon it, some at the suggestion of this board. Among others, an advantageous change has been effected in replacing the pile bridge at Inkhorn brook in Windham, by a substantial arch culvert and a heavy embankment. And the officers of this company have uniformly met the several members of our Board in their repeated visits of examination in a manner always evincing a desire and determination to make their road better if practicable at all points where improvements were suggested.

The city of Portland has shown its confidence in this enterprise by a grant of its credit to the company to the amount of \$1,350,000. And we learn that a new location has recently been made through the Crawford Notch, which makes it manifest that the grades and grading in this mountain district will be less than have heretofore been supposed, and while the present state of the construction work ensures the opening of another division of some twelve miles more of rail before the ensuing travelling season, the results of the new surveys indicate that there will be no insurmountable even if formidable obstructions in the way to prevent an early completion of the road to its western connection.

The steadily increasing receipts manifest that its advantages to the people of the country through which it passes, are being appreciated more and more each year; and notwithstanding the sharp competition to which the road is subjected by the extension of the Great Falls and Conway road to North Conway, there has been no great falling off, we are informed, in the annual gross receipts from that town.

Indeed, as new avenues to the mountains are opened, upon whichever side, the tide of travel seems to set in at once with increased force, filling them to the overflowing with its swollen current, so much so, that this tendency of travel in the summer, accelerated by the combined forces of a desire to escape the heat

of the large cities, and a wish to enjoy the air and scenery of the mountains is a phase of our social life, that has within a few years enlarged into importance in economical statistics. It has become a fact which practical men engaged as carriers by rail or stage are acting upon to make remunerative; and fortunate may be the throng that from summer to summer, shall be drifted on to this high land if they shall find their compensation also in the freshness of new sensations and the buoyancy of renovated health.

The cost of construction and equipment, salaries and incidentals, is stated by the President in his report of January 16, 1872, to have been up to that time, \$2,004,067.44; this is an average of \$33,401.12 per mile. The next twelve miles it is estimated will not exceed \$25,000 per mile for construction, which being relieved of all preliminary expenses and cost of further equipment, will reduce the average of the first 72 miles of the road to \$32,000. Mr. Anderson states that the average cost of railroads in Maine has been \$45,000 per mile.

The receipts and miles run for the 11 months ending November 30, 1872, were: Miles run—by passenger trains, 63,400; by mixed trains, 25,960; by freight trains, 15,280; by ballast trains, 13,460; total, 118,100. Receipts—from passengers, \$50,600; from freight, \$59,000; from mails, \$3,000; from express, \$2,000; from miscellaneous, \$300; total, \$114,900.

Average receipts per mile run by all trains, 97 $\frac{33}{100}$  cents. Average receipts per mile run by passenger mixed and freight trains, 1 $\frac{100}{1000}$ .

Capital stock paid in, \$1,007,847.50; bonded debt, \$800,000; floating debt, estimated, \$40,000; cost of road and equipment, as above stated, \$2,004,067.44.

Speed—passenger trains 24 miles per hour; freight trains 12 miles per hour. Passenger fare four cents per mile.

The rolling stock embraces 5 locomotives, 11 passenger cars, 2 smoking cars, 1 baggage and smoking car, 2 baggage cars, 40 box cars, 40 platform cars, 10 hay cars, and other lighter and ordinary equipment, all of which is in good condition.

We hope Portland will realize the growth and benefits it anticipates from this great enterprise, and its projectors be rewarded with the success for which they have toiled so industriously and of which they are so sanguine.

Samuel J. Anderson, Esq., Portland is President; John F. Anderson, Esq., Chief Engineer; Jonas Hamilton, Esq., Superintendent; Wm. H. Anderson, Esq., Treasurer.

*Portland and Rochester Railroad.*

This road extends to Rochester, New Hampshire,  $52\frac{1}{2}$  miles—about three miles is in New Hampshire. It was opened in July, 1871. The old portion of the road between Portland and Saco river, of which we have heretofore complained, has been relaid with new rails and largely with new ties—25 miles of it has been thoroughly graveled and the track raised; the remaining or new part of the road continues in good condition. The road bed is well drained, the ditches well cleared, the sleepers sound, the track smooth and well lifted on gravel. The road runs through very fine agricultural portions of the counties of Cumberland and York, and passes valuable water powers in its course.

Its business prospects are encouraging to its stockholders, and there was an increase of the net earnings from \$30,617.44 in 1871 to \$33,073.88 in 1872, and when its through connections are completed to Worcester and thence to New York its friends anticipate a very great increase of its passenger traffic. The President in his brief but clear report to the stockholders for the year ending August 31, 1872, stated that the company have already entered into a contract with the Worcester and Nashua Railroad Company for reciprocal business, which will make the line from Portland to Worcester, and, as the President thinks, at no distant day from Portland to New York, practically one road for all through travel. This road will then open another avenue to Boston, and another direct, and the shortest, as it is claimed, by some twenty miles to New York. This difference in its favor, though small, will give it the vantage ground in the competition for through travel South—it is difference enough if the route is well kept up in equipment and track and stations, besides saving the inconvenience of transit through Boston, to make itself sensibly felt year by year in an increasing volume of travel.

The Portland and Rochester already connects at Rochester with the Portsmouth, Great Falls and Conway and the Boston and Maine roads, and by connections to be made at Groton Junction with the Fitchburg, and at Worcester with the Boston and Albany roads it will present another very direct route between the State of Maine and the West.

The gross earnings of the road for the year ending August 31, 1872, were—from passengers, \$52,687.53; from freight, \$70,-192.48; from mail and express, \$6,681.22; miscellaneous income,

\$2,000.05; total, \$131,561.28. Increase over 1871, \$45,991.38; expenses, \$93,482.69; net earnings, \$38,078.59.

Number of miles run during the year—By passenger trains, 77,594; by freight trains, 51,600; gravel, iron and wood, 12,446; total, 141,640.

Number of passengers carried, 120,009; number of tons freight, carried, 60,790.

The rolling stock consists of 6 locomotives, 10 passenger cars, 1 mail and smoking car, 3 baggage cars, 52 box cars, 61 platform cars, 2 snow-plows; 25 box cars and 10 platform cars have been added to the equipment during the year and the President reports to the directors that 50 more freight cars are needed for the business pressing upon the road.

We might add that some special improvements other than those stated above have been made the past year upon this road, and among them, 3,757 feet of side track have been laid at way-stations, two miles of new fence built, cattle-guards and culverts where necessary have been put in between Springvale and Rochester, and 34 road crossing signs have been put up, and Portland and Saco river bridges repaired at considerable expense; and arches are now being added to the Saco river bridge as recommended by us.

Hon. John Lynch is President, Wm. H. Turner, Esq., of Portland, Superintendent, Geo. P. Wescott, Esq., Portland, is Treasurer.

*Portland, Saco and Portsmouth Railroad.*

This road extends from Portland to Portsmouth, New Hampshire, a distance of 52 miles, passing in its course the manufacturing cities of Saco and Biddeford.

The road was opened for travel in 1842, and since that time has been distinguished as being the only line of rail communication from Maine to Boston, securing upon its single track, not only the local business incident to its location, but the accumulated traffic of all the railroads running north and east of Portland, and centering at that city. Soon after its completion, the Boston and Maine Railroad formed a connection with it at South Berwick; and with the Eastern, effected a joint lease of the Portland, Saco and Portsmouth Railroad, by the terms of which the cars of both roads were to be run in the trains to and from Portland, to the junction at South Berwick. This contract expired last year; and the Eastern became the sole lessee, but as yet there has been no change as regards the running of Boston and Maine cars.



The management of the road until last year has been retained by the Portland, Saco and Portsmouth Company; but under the new lease it has passed under the control of the Eastern Railroad. Great care has been exercised in keeping the road in good condition; the almost entire freedom from accident, and the regularity with which the trains have been run is the best evidence of its successful management.

At the important bridge over the Piscataqua river, near Portsmouth, a large force of experienced carpenters are constantly employed, whose sole duty it is to see that this bridge is kept in good repair, and in safe condition for the passage of trains. During the past year extensive repairs and additions have been made, among which are the following, viz.: 740 tons of new iron and 15,519 sleepers have been put in the track. At the long pile bridge near Portland many new piles have been driven and other necessary repairs made. A new bridge has been built at Nonsuch river in Scarboro'. Saco River bridge, new floor timbers, and the number increased. Maryland River bridge one new abutment. Great Works River pile bridge, new top entire. Road bridge west of North Berwick one new abutment, and new super-structure. A new bridge at South Berwick Junction. A large stone culvert has been built at Shorey's brook in Elliot; a difficult and expensive job, thoroughly done, and securing the important embankment across the valley. Several smaller culverts and cattle passes have been relaid. The over-head bridges have been generally repaired and some of them rebuilt. 3,500 feet of side track have been laid at different points. Patent safety switches have been introduced throughout the line, lighted at night by Semaphore signal lanterns, and considered a great safeguard. General repairs have been made on the depots, and many of them much improved. A large amount of filling has been done on the flats owned by the company at Portland, making six acres of new ground, enclosed by a substantial sea wall. This work has been in progress all summer and is now nearly completed, and is a great improvement, adding largely to the facilities for doing business at the terminal station.

These additions and improvements indicate a determination on the part of the company to maintain the good reputation of the road acquired in the past, and a desire for the safety and convenience of the public in the future. The obstacles in the way of erecting a new passenger depot at Portland (so long needed) we

understand are about being removed, and a new and better arranged building will probably be built the coming summer.

Receipts and expenditures of the Portland, Saco and Portsmouth Railroad Company for the year ending May 31, 1872:

Receipts from all sources .....	\$658,712 39
Expenditures .....	\$470,537 07
Carried to renewal account .....	10,000 00
	<hr/> \$480,537 07
	178,175 32
Interest paid .....	13,161 29
	<hr/> 165,014 03
Net .....	165,014 03
Balance per last report. ....	368,956 42
Under estimate for May 1872 .....	190 83
	<hr/> 369,147 25
	\$534,161 28
Dividend paid January 1872 .....	75,000 00
Charged off. ....	100,000 00
Boston & Maine freight account. ....	54,477 64
	<hr/> 229,477 64
Balance. ....	\$304,683 64

Whole number of passengers for the year, 433,406.

Thornton K. Lothrop, Esq., of Boston is President; Charles F. Hatch, Esq., of Boston, General Manager; Francis Chase, Esq., of Portland, Superintendent; James Donnell, Esq., of Portland, Master Mechanic.

#### *Knox and Lincoln Railroad.*

Bath to Rockland, 48½ miles. At our examinations of this road we found it very much improved since last year. The track was in excellent surface and alignment. Construction trains were engaged in ballasting, and a large amount of gravel has been put upon the road. The ditches have been cleared out and the ballast widened at points where it was required. The bridges were found in good condition, and are for the most part, well built and reliable structures. Cribbs are being built around the piles of the Sheepscot river bridge, on the flats east of the channel, to guard against injury by ice. As the bridge across these flats is very high above the level of the water, this will be found a wise precaution. The truss bridges have all been covered with wood and

iron during the past summer, and are well protected from the action of storms or fire. The masonry along the whole line, is substantial and well built. The road-bed at the sub-grade, is in the excavations very wide, thus securing good drainage and great advantage in disposing of the snow, which so frequently impedes the successful working of trains.

The depot grounds are well graded, convenient and accessible, and the buildings appropriate and convenient; particularly those at Rockland, which have been completed during the year.

The ferry across the Kennebec river at Bath, is admirably managed, and little or no inconvenience or delay is experienced in crossing. During the past season the company have nearly completed the extension of their road to tide water at Rockland; they have also built a wharf of large dimensions for the purpose of transshipping freight. When these improvements are fully completed the business of the road will doubtless be largely increased, and should the proposed Bay and River road be built from Rockland to Bangor, and there form a connection with the European and North American and Piscataquis railroads, the friends of the Knox and Lincoln railroad may reasonably expect important advantages as the result of this connection.

The cost of this road, according to the report of Chief Engineer E. R. Emerson, Esq., is \$2,627,138.40, not including the extension to tide water at Rockland. The estimated cost of the extension is \$78,364.45, making the total cost \$2,705,502.85. The bonded debt of the road is \$2,395,000.

The gross earnings of the road for the ten months preceding September 1st were for passengers, \$66,583.85. For freight, \$19,036.34; miscellaneous, \$1,190.92; estimated due for carrying mails, \$5,000.00, making a total of \$92,611.11. Operating expenses for ten months, \$51,639.03. The net earnings, \$40,972.08.

Passenger trains have been run during the year, 59,956, and freight trains, 16,958 miles, at an average cost of 73 76-100 cents per mile, or of about 56 per cent. of the gross earnings. Construction trains have been run during the same time 26,096 miles.

There have been added to the rolling stock during the year two locomotive engines, four passenger cars, one shifting passenger car, one saloon car, three shifting cars, two box cars, two platform cars, one cattle car, six push cars, three hand cars, two snow ploughs, and one flange scraper. The rolling stock now consists of six engines, nine passenger cars, one shifting passenger car,

one saloon car, four baggage cars, twenty-two box cars, thirty-two platform cars, one cattle car, three shifting cars, thirteen push cars, eleven hand cars, two snow ploughs, and one flange scraper.

Although the cost of constructing this road has vastly exceeded the original estimates of Mr. Reed, the former engineer, and the anticipations of its projectors, it has been carried through with a determination and energy creditable to its managers, and becoming the rich communities through which it passes.

Oliver Moses, Esq., of Bath, is President; E. R. Emerson, Chief Engineer, C. A. Coombs, Superintendent.

*Consolidated Maine Central and its Branches.*

PORTLAND AND KENNEBEC DIVISION. Extending from Portland to Augusta,  $62\frac{1}{4}$  miles, with branch to Bath—9 miles—making  $71\frac{1}{4}$  miles. This road passes through the town of Brunswick, where is situated Bowdoin College, the oldest college in the State. Here the branch diverges, leading to Bath, a city noted for ship-building, where is also located the extensive car manufactory of the Patten Brothers.

Leaving Brunswick, the main line crosses the Androscoggin river over an iron bridge 744 in length—wooden approaches 135 feet—making the entire length 879 feet. This bridge is of similar construction to that built at Augusta two years since, and is a splendid specimen of bridge architecture, reflecting credit upon the builders and the road. It was erected last summer in place of that destroyed by fire in the spring.

The road continues to Augusta, the Capitol of the State, where it connects with the Somerset and Kennebec railroad. At Augusta are located the Sprague cotton mills, saw mills, car manufactories and other important and thriving industries all conducing to the growth of the city, and constantly increasing the business of the road.

This road is for the most part in a very satisfactory condition, but there are some of the bridges which we hope to see give place to new and better structures the coming season. The road, under the management of the present proprietors, has within the last few years been brought up from a condition of almost utter dilapidation and unsafety, to a high state of excellence. A large amount in labor and materials has been expended during the past year, and many old and worn-out bridges have given place to new and reliable structures, as the following details will show.

New Meadows bridge, on Bath branch, approaches 32 feet, two spans of Howe truss, one 140 and one 130 feet in length, making in all 302 feet. Topsham bridge, approaches three spans of Howe truss 45 feet each, four spans of iron 186 feet each (744), making the entire bridge 879 feet long. Bowdoinham bridge—two spans of Howe truss, 40 feet each (80). Harwood's roads—stringer bridge, 24 feet and triangular truss of 65 feet span. Carding mill road—stringer bridge, 24 feet span. Freeman's creek—one span Howe truss 65 feet. Hallowell, road—Howe truss 110 feet. At Portland—one span Howe truss 75 feet, now building. All the trestle work on the road has received additional stringers, cross-ties and braces. A number of new stone culverts have been built at different points on the line and a substantial retaining wall at Loudon hill near Hallowell. A new wharf, engine house and Y, at Portland, passenger depot at Freeport, turntable at Brunswick, water station at Dresden, are among the improvements and additions of this year. All built of good material and in a workmanlike manner.

MAINE CENTRAL DIVISION. Extending from the junction with the Portland and Kennebec division at Cumberland to Bangor, 127½ miles. This road is located in a good section of the State, passing through the cities of Lewiston and Auburn, whose rapidly increasing business and population, will rank them in a few years among the larger and most important manufacturing places in the country. At Waterville, one of the most beautiful villages in the State, and the seat of Colby University, the road is joined by the Somerset & Kennebec road, and the trains of both roads are run upon the same track to Kendall's Mills. At this point the Somerset and Kennebec deflects to Skowhegan, and the Maine Central crosses the Kennebec river, over a bridge nearly 2000 feet in length, and on to the city of Bangor, the great lumber market of the State, where it connects with the European & North American, and Piscataquis railroads.

This road is in good condition throughout its entire length. A large amount of gravel has been put upon the road-bed, and new iron and sleepers put in the track. Construction trains have been worked on the new extension, the embankments raised and widened and the ballasting completed; 100 tons of new iron has been laid on this portion of the road; an unusual item of repairs for a road that has been in operation but a few months, indicating that the iron on this portion of the road was of an inferior quality.

The bridges on this section are in good condition, three of them are iron. On the old road, the truss bridge over the Little Androscoggin has been repaired. The bridge over the Androscoggin has been strengthened, and the pile bridge at Belgrade stream repaired. But the bridge at Winthrop Pond, and the Rice bridge over Emerson stream, near West Waterville, remain in the same condition and need the repairs recommended last year.

The bridge across the Kennebec at Kendall's Mills has been strengthened throughout the truss portion, by the addition of double arches, and necessary repairs have been made on the trestle work.

A substantial truss bridge has taken the place of the old pile bridge at Clinton. The pile bridge at Etna bog, and the Shaw bridge in Hermon still remain, but have been repaired. We think that the first should give place to an earth embankment, and the latter to a large arch culvert, at the earliest possible day. The above repairs and improvements were suggested by the Commissioners last year, and so far as they have been carried out the work has been well and faithfully done. A new and convenient depot has been built at East Newport.

**SOMERSET AND KENNEBEC DIVISION.** The Somerset and Kennebec Railroad extends from Augusta to Skowhegan,  $37\frac{3}{4}$  miles, crossing the Kennebec river at Augusta by the magnificent iron bridge, erected in 1870, and following up the easterly bank of the river to the village of Winslow; thence crossing the Sebasticook and Kennebec rivers to Waterville. From Waterville the line follows along the west bank of the river through the villages of Kendall's and Somerset Mills in the town of Fairfield, again crossing the Kennebec to its terminus at Skowhegan.

This road is located in one of the finest agricultural districts in the State, and following the course of a large river, where lumbering and milling operations are carried on; penetrating to the business centre of Somerset county where the traffic of surrounding towns concentrates, it has from the day of its completion proved a source of convenience and business prosperity to the people of the upper Kennebec, and a valuable tributary to the Portland and Kennebec railroad with which it is connected. This road was opened for public travel throughout its entire length, in the fall of 1856, and the necessity for its construction has been fully demonstrated by the constantly increasing traffic. A large amount of work has been done upon the road the past season by way of

repairs and improvements but much remains to be accomplished the coming summer, in laying new iron and sleepers, repairing bridges and substituting structures of a more permanent character for those now in use. During the last year a large and superior culvert has been built and an embankment made over it at the Allen brook, about one mile north of Augusta. A new bridge with permanent stone abutments has been built at Lovejoy's Ferry road in Vassalboro', and one trestle placed under the long span of the bridge over the Kennebec at Waterville, and in accordance with the plan of Mr. Holt, Chief Engineer, iron rods of large dimensions have been added to the lower chords of two spans with the view of strengthening and securing them. This bridge has been a source of much anxiety to the Commissioners, and we have during the past summer, repeatedly called the attention of the officers of the road to its condition and directed repairs to be made, and we believe it important for the safety of the public and the interests of the company that a new bridge should be built without unnecessary delay. That portion of the original road between Waterville and Kendall's Mills has been discontinued; the track taken up, and a new piece of road built, forming a junction with the old Maine Central line at a point just west of, and nearly in front of the Colby University. A spacious and well arranged brick passenger depot is in process of erection. The grounds about it are well adapted both in surface and extent to the purposes to which it has been devoted; and we believe the whole plan when consummated will prove very convenient to the company and with a few exceptions, satisfactory to the patrons of the road. One great advantage is gained, in doing away with the necessity of making up and changing trains on the bridge at Kendall's Mills, a dangerous practice, to which the Commissioners directed attention in their report of last year.

In compliance with our suggestions a new bridge has been built at the stream one mile north of Kendall's Mills, trestles placed under and supporting the bridge at Martin Stream, near Pishon's Ferry, and the bridge over the Kennebec at Skowhegan has been fully strengthened and repaired. A large amount of gravel has been put upon the road-bed, and some new iron and sleepers placed in the track.

ANDROSCOGGIN DIVISION, BRUNSWICK TO FARMINGTON. This road connects with the Portland and Kennebec Railroad at Brunswick, and extends to Leeds Junction,  $27\frac{3}{4}$  miles, with a branch from

Crowley's Junction to Lewiston, 5 miles. At Leeds Junction the road crosses the old Maine Central and connects with the Leeds and Farmington Railroad, 38 miles, making the entire line 71½ miles.

This road was originally defective in its construction, and although much has been done by way of renewals, repairs, graveling, and reducing grades, yet a great deal remains to be done. A large amount of masonry is required for abutments, culverts and cattle guards. The bridges are mostly trestle, many of them built for a temporary purpose at points where embankments had been washed away by freshets. At some of these points larger culverts should be built and embankments made over them, and at others stone abutments and truss bridges should be substituted for the present structures. The road-bed and track is for the most part in good order. A large amount of gravel has been put on the road, and several hundred tons of new and repaired rails have been laid in the track this year. The additional braces and guard rails recommended by us on the Sandy river bridge at Farmington (too long neglected) are now being put on.

An embankment should take the place of a large portion of the trestle bridge at West Farmington, stone abutments and a good truss the remaining portion. That section of the road between Crowley's and Leed's Junctions is not in so good condition as the other parts of the road; and the bridge at Sabattisville, although it has received some slight repairs, is not a suitable structure for the place.

BELFAST AND MOOSEHEAD LAKE RAILROAD. This road extends from Belfast to Burnham, 33½ miles. The road was opened for public travel in November 1870, and although it traverses a rough and hilly country intersected by numerous water-courses, deep ravines and abrupt ridges, necessitating the use of heavy grades and sharp curves, in a few instances, yet it has proved safe and permanent in construction, and the trains have been run over it with great regularity without accident, and with proper rolling stock in use it can be operated safely and economically. The iron is of excellent quality and shows no signs of breakage or lamination.

There are several important bridges and large arch culverts on this line, which are first-class and in good condition, but we would recommend that the truss bridges be covered (as have been those on the Maine Central) to protect them from the action of the weather, fire, etc.



The track is in good line and surface, but the ditches and drains need clearing out, and the road-bed requires additional gravel to supply the waste caused by washing and settling of ballast, incident to a new road. Very little, if anything, has been done by way of repairs, and no construction train has been worked on the road the past season; and but a very short time the year before. The station buildings are in good order, and a new and increasing business is being done at Brooks, Thorndike, and Burnham. The road is leased to the Maine Central. The rolling stock is furnished by that company, and increased or diminished as circumstances require. The road cost about \$850,000; its bonded debt is \$150,000; its liability beyond is upon stock.

C. B. Hazeltine, Esq., of Belfast, is President.

DEXTER AND NEWPORT. This road extends from Newport on the line of the Maine Central railroad to Dexter, 14 miles, and was opened for public travel in November, 1868. Since that time it has been operated by the Maine Central Company, with great safety and regularity. It was built under a lease to the last named company, but at the time of its transfer, the ballasting was not fully completed, and a sum of money was agreed upon as necessary to finish this portion of the work, and the amount deducted from the contract price for building the road. Owing to the difficulty of obtaining gravel this portion of the work was not immediately finished, but during the past season a large amount of ballast has been put upon the road-bed, ditches have been well cleared out, drains opened and the entire road is in excellent condition. The iron is of American manufacture, (from Pennsylvania), rails thirty feet in length and has proved of most excellent quality.

The station buildings are appropriate and convenient. The road was built within the estimated cost and we believe is proving remunerative to the lessees and a great advantage to the country through which it passes. The entire cost of the road was \$300,000. The town of Dexter loaned its bonds for \$125,000 in aid of its construction; the town of Corinna for \$50,000, and there has been issued stock to the amount of \$125,000. The Maine Central pay 6 per cent. on the entire cost.

Charles Shaw, Esq., of Dexter, is President.

We have given somewhat in detail the location of the consolidated Maine Central and its branches, as tending to show, not only to the people of our own, but to those of other States, the great importance of this line, and the vast interests controlled by,

or subject to it. Occupying a central location, its main lines running through the most populous, best agricultural, and manufacturing portions of the State, its branches stretching out to other portions of steadily increasing wealth and importance, having at its either terminus a prosperous and growing city, with perfected railroad connections east and west, the Maine Central is not in a position to fear a rival, and under an enlightened management it must continue to develop the resources of the section through which it passes, and add to its own value and importance. The trains upon this road have been run during the year with commendable regularity, and remarkable freedom from accident. But we fear that the introduction of heavier engines and passenger cars will cause a largely increased cost for maintenance of way, without showing a corresponding increase of profit to the company.

Below we give a statement in detail of the renewals and repairs on the consolidated road and its branches, the exact items of which were furnished us by Thomas Holt, Esq., Chief Engineer, under whose supervision the work has been done. Also extracts from the report of the President, Hon. R. D. Rice, made in February last at the stockholders' meeting, showing the cost of operating the road, and other items of interest, for the year ending February, 1872:

#### LIST OF NEW BRIDGES BUILT DURING THE YEAR.

##### New Meadows Bridge:

Approach 32 feet, 1 span Howe truss, 130, 1 span

Howe Truss, 140 ..... 302 feet.

##### Topsham Bridge:

Approaches 3 spans Howe Truss 45 feet each, 135

feet. Iron Bridge, 4 spans, 186 feet each, 744 feet, 879 feet.

Bowdoinham—2 spans Howe Truss, 40 feet each..... 80 "

Harward's Road—Stringer Bridge..... 24 "

" " Triangular Truss..... 65 "

Freeman's Creek—1 span Howe Truss..... 65 "

Richmond—New Stringer Bridge and Abutments..... 24 "

Hallowell—1 span Howe Truss..... 110 "

Clinton—Approaches ..... 66 "

" 1 span Howe Truss ..... 50 "

Lovejoy's Ferry—New Abutments and Stringer Bridge, 20 "

Portland—1 span Howe Truss, now building..... 75 "

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Total length of new bridges built..... 1,760 feet.

## LIST OF BRIDGES REPAIRED.

Little Androscoggin Bridge—Additional floor timbers, new stringers and cross-ties.....	150 feet.
Lewiston Bridge—New floor beams, diagonal braces, covering and cross-ties.....	820 feet.
Waterville Bridge—Additional floor beams and long span strengthened by iron chords.....	650 feet.
Skowhegan Bridge—Has been strengthened by double arches each 8x36 inches, additional floor timbers and new covering throughout.....	324 feet.
Kendall's Mills Bridge—The truss bridging is arched throughout with substantial double arches, with new cross ties—stringers on trestle work.....	1,907 feet.
Etna Bog Bridge—New stringers and cross-ties the en- tire length.....	1,155 feet.
The following bridges have been covered, the roofs tinned and roofs and sides painted.	
Newport—2 spans Howe Truss.....	125 feet.
Damascus—1 span Howe Truss .....	55 “
Hermon Pond—2 spans Howe Truss.....	125 “
Hampden Road—1 span Howe Truss .....	68 “
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5,379 feet.	

The following material has been used in repairing the track the past season : 31½ miles new iron, 17 miles repaired iron, 130,000 sleepers, 86½ miles of the road has been ballasted, 2¾ miles of new side track laid. All of the trestle work on the road has received additional stringers, cross-ties and bracing ; 45 culverts have been built and a substantial retaining wall 310 feet long, has been built at Loudon Hill. New passenger depots have been built at Freeport, East Newport, Wilton and Waterville ; new brick water stations at Dresden and Lewiston, the last having a steam pump. New frame water stations have been built at North Belgrade and Burnham, the last having a steam pump. New turn-tables have been built at Brunswick, Lewiston and Bangor. New engine houses have been built at Portland and Lewiston, the last of brick.

The entire interest bearing debt of the company, including the stock of the Portland and Kennebec Railroad Company, the stock scrip of the Maine Central Railroad, and the bonds of the Maine Central and the Portland and Kennebec, Somerset and Kennebec,

Androscoggin and Leeds, and Farmington Railroad, and also all outstanding notes and bills payable December 31, 1871, is \$7,989,014; being \$25,771 per mile of road. Add to this the capital stock of the road, \$3,434,520, and the whole amount will be \$11,423,534, or \$35,850 per mile for the roads, and an equipment of 50 locomotive engines, 73 passenger and baggage cars, 860 freight cars, 74 station houses and a liberal supply of materials for operating a railroad. This does not include the Belfast and Moosehead Lake and Dexter and Newport roads.

The result of the operations during the last year will appear from the accompanying report of the treasurer.

The number of miles run by engines during the year has been 934,585, of which 418,026 were connected with passenger trains and 326,886 with freight and 189,773 with construction, wood and other miscellaneous trains.

The total earnings for 1871 (which include earnings of Androscoggin and Leeds and Farmington roads for six months, and Belfast and Moosehead Lake road for eight months only) have been \$1,566,201.25, of which \$696,913.68 was for passengers, \$790,921.71 for freight, \$70,600.80 for mails, express car use, etc., and \$2,774.06 for rents and other miscellaneous items. The amount of ordinary operating expenses has been \$1,094,638.97. There was also paid out in expenses incident to change of gauge, permanent improvements and in damage occasioned principally by the calamity at Hampden bridge, and by the collisions at Farmingdale and Freeport, the sum of \$115,455. The cost per mile run has been  $\$1.19\frac{34}{100}$ ; or if we include the extraordinary expenses above referred to,  $\$1.29\frac{33}{100}$ .

The whole number of passenger transported has been 584,507, showing a combined travel of 20,922,599 one mile. The average distance travelled by each passenger was 36 miles. The earnings from passengers per mile have been  $\$1.66\frac{7}{10}$ ; the average price per mile for passengers is three and one-third ( $3\frac{1}{3}$ ) cents.

The whole number of tons of freight transported has been 314,902.05, at an average of  $\$2\frac{52}{100}$  per mile, or 3 and  $11\frac{3}{10}$  cents per ton per mile.

The following additions have been made to the rolling stock this year: 4 new engines, 1 new mail car, 1 new baggage car, 1 new saloon car, 38 new flat cars, 10 new box cars, 100 new short flat cars, 31 new push cars, 13 new hand cars, 2 new boarding house cars.

From the foregoing statement it will be seen that marked improvements have been made upon the Maine Central road within the last year, and that however much opinions may differ in regard to the wisdom of consolidation, the result proves that the public are enjoying greater advantages under the present system than it would have been possible to have afforded under the management of separate or rival corporations. It has given us safer and better roads, a uniform gauge, improved depot accommodations, an increased number of trains, with greater regularity in running, and certainty of connections. Better cars and engines, and more of them, thus enabling the company to meet any unusual demand that may be made upon its rolling stock; also to concentrate their engines and cars at any point on the different divisions of the road where they may be most needed. These advantages certainly are worthy of favorable mention and consideration.

Hon. R. D. Rice of Augusta, is President; Thomas Holt of Waterville, Chief Engineer; L. L. Lincoln of Augusta, Acting Superintendent; Arthur Brown of Bath, Assistant Superintendent; J. W. Philbrick of Waterville, Master Mechanic.

#### ACCIDENTS.

The railroads of the State have been freer from accidents to passengers the past season than they were the year before. This is attributable in part, we think, to the strengthening of the bridges, and in part to better discipline among employees. The supervision has been commendably vigilant so far as we have been able to judge, and Presidents and Directors have given to their respective roads a becoming singleness of effort and purpose to make them safer and better. All have felt perhaps more than heretofore, the responsibility of the trusts reposed in them. There are now greater interests than heretofore of life and property at stake to stimulate to improvement of the roads, and to watchfulness in their management by all.

*Portland, Saco and Portsmouth Railroad.* July 1.—Mr. Buffam of Vassalboro', while walking across the track at North Berwick was struck by an engine. He was thrown some distance and instantly killed.

August 24.—As the 9.10 A. M. train from Portland was approaching South Berwick junction, where the Boston and Maine cars are unshackled from the Eastern Railroad cars, just after the

pin had been pulled, the Engineer set the Westenhaus air brake which brought the Eastern Railroad train to a sudden stand-still before it had passed the switch for the Boston and Maine train. The result was that the Boston and Maine train ran into the rear of the Eastern Railroad train. The Conductor, two passengers and the Express Messenger were injured.

September 2.—Hosley Davis, employee, while engaged in shackling cars switched from the Portland, Saco and Portsmouth train to the Maine Central train, got his foot caught, and before he could extricate himself he was thrown down by a car that was in motion, which passed over his leg crushing it from the ankle to the knee, and rendering amputation necessary; his left foot was also injured. He died in a short time after the accident.

September 24.—William Eaton while engaged in shackling cars in the Portland, Saco and Portsmouth yard at Portland, in attempting to step from one car to another caught his foot in the bunter. He fell between the cars, breaking his collar bone and crushing several of his ribs.

November 6.—Mrs. Mary Hobbs, wife of James Hobbs, Baggage Master on the Eastern road, was on board the train at South Berwick Junction. The train had run past the station and started to back up, when Mrs. Hobbs in attempting to get off was thrown down on the ground with her right arm across the rail. Her arm was completely severed from her body. She died the next day.

*Boston and Maine Railroad.* November 15, 1872.—Mr. Elbridge, Civil Engineer, in stepping from an engine when in motion on the extension at Berwick, slipped and fell across the track. The whole train passed over him causing instant death.

November 18.—Hugh Wade, about fifteen years old, an employee on a construction train on the extension of said road, lost his balance and fell upon the track; several cars passed over his bowels, killing him instantly.

*Grand Trunk Railway.* April 9.—Mr. E. D. Marshall, as a freight train was passing West Paris, attempted to throw a bag of corn upon a platform car and fell upon the track; several cars passed over him, killing him instantly. His employment was sawing wood for the Grand Trunk Railway.

April 18.—John C. Miller, brakeman on a freight train, in attempting, it is supposed, to step from one car to another fell between the two cars, it being in the night. He was not missed for

some little time ; a train that was following passed over his body, and when taken up he was dead.

May 3.—Patrick Welch, switchman, stepped from the main track to get out of the way of the passenger train that was coming into the station at Portland, was thrown down by shunting a train that was moving in the opposite direction ; several cars passed over his body. He died in one hour after the accident.

*Maine Central Railroad.* April 13.—John Road, a Frenchman belonging in Farmington, in attempting to get upon the P. M. train at Lewiston, after the train had started, was thrown against the canal bridge with such violence as to break his neck. His death was instantaneous.

April 15.—Near North Leeds five freight cars were thrown off the track. Frank Locke, brakeman, was thrown between the cars and received a very severe scalp wound.

December 11.—Frank George, brakeman, was terribly jammed while coupling cars at Farmington. Three of his ribs were wrenched from the breast bone and other hurts sustained.

December 24.—Charles Murry of Waterville had his head badly injured while shackling cars at East Newport.

July 28.—Frank, son of Simon Lombard, eight years old, at the time of the arrival of the passenger train at East Wilton depot had placed himself under the platform, and was in the act of placing a nail on the rail that the passing wheels might flatten it, when the train started and one of his ears was struck by some portion of the car, which cut through the ear and also through the scalp of the skull, and the wheels passing over his left hand.

August 22.—John Dixon, while switching cars at Augusta, was caught by the switch rope and thrown under the cars. He was instantly killed.

March 19.—Augustus Bickford, conductor of a wood train, fell between the cars at Augusta and was very seriously injured.

March 18.—Edward Blake of Bangor, while attempting to jump upon a moving freight train at Waterville, fell under the wheels and was instantly killed.

June 3. Moses Parsons was unloading wood at Leonard's crossing on the Belfast and Moosehead Lake Railroad ; his horses became restless, and in attempting to hold them he was precipitated on to the track, and the engine ran over him instantly killing him. It was a melancholy accident, but no blame was attached to any employee of the road.

August 26.—Leander Grotier attempted to walk from the engine to the rear of the train on the top of the cars. In passing Little Androscoggin bridge a timber struck his head killing him instantly.

October 22.—George Starrett, brakeman, had his leg and foot mangled in a fearful manner at Hermon Pond by jumping off the engine, and a part of the train passing over his foot and leg.

*Portland and Rochester.* November 12.—By the misplacement of a switch at Saco River the 1.30 P. M. train from Portland, ran into a freight car on the side track. Three passengers were injured.

November 14.—Charles D. Whitten, brakeman, was struck by an overhead bridge, between Alfred and Springvale, and received injuries from which he died shortly afterwards.

*European and North American Railway.* January 3.—Frank Stetson, brakeman, fell between two cars at Olamon; his leg was so badly crushed that amputation was necessary.

July 3.—The evening train was passing the Hall crossing, half a mile above Lincoln Centre and ran over a man by the name of John Matherson, who was lying on the track, cutting his head entirely from his body. The train came along at half past ten o'clock. The engineer did not see the man on the track, or even know of the casualty until the return of the evening train. No blame can be attached to the engineer or any employee of the road.

September 9.—Michael Connor was run over by the cars at Orono. One of his legs was crushed so badly that it had to be amputated.

May 2.—David Bean, brakeman, while upon the roof of a car was struck and instantly killed by a rod at the St. Croix bridge.

April 30.—Joel Littlefield, brakeman, was struck by an overhead bridge near Lincoln station and thrown between the cars on to the track. He lived but a short time after being run over. He had been in the employ of the company for some time and was usually very careful, but this time he sat carelessly facing the rear of the train as it approached the bridge.

May 7.—Two little boys were by the side of the railroad track, just above the toll bridge, on their way to school, when a locomotive came along with two empty cars which it was backing up to the engine house. As the engine passed the boys one of them pushed the other, George McCormick, in play, upon the track, and the wheels of one car went over his right leg just below the knee, rendering amputation necessary.



At many railroad stations small boys are in the habit of jumping on the cars just as the train is going out or coming in to steal a ride of a few rods. The habit is a most dangerous one that railroad officials should do all in their power to prevent; parents should forbid it, and the police, so far as practicable, should punish the offence.

July 13.—Samuel Follansbee, a brakeman on the fast freight train, was engaged in the yard at depot in Bangor while the train was being made up. On the middle track were two flat cars, and a locomotive was backing down with a number of flats to be shackled with them. Follansbee stepped to couple them and carelessly stood with his back towards the engine and was caught between the bunters. The left side of his chest was crushed in; there was a slight rebound, and the poor fellow, turning, was again caught, this time on the right side. He died in a few minutes.

*Portland and Ogdensburg.* June 20.—Clinton Tuttle, passenger on an excursion train from North Conway to Portland, got upon the top of one of the cars. While standing up was struck by an overhead bridge one mile below Sebago Lake station. He died in about eight hours after receiving the blow.

*Knox and Lincoln.* February 15.—John Ham, brakeman, while on the top of a car and looking back at the train as it entered Sheepscot bridge, was struck on the head by an overhead timber which knock him from the car. He fell through the trestle work, and lodged on a pile which saved him from a further fall of forty-five feet. He was insensible when rescued and it was feared that his injuries would prove fatal.

May 24.—Leonard Miller, employee, attempting to jump on to the moving train at Nobleboro', fell upon the track, the cars passing over both his legs, mangling them in a shocking manner.

*Houlton Branch.* March.—A section man named Tyler was instantly killed by being caught under an engine that was thrown off the track.

*Bangor and Piscataquis Railroad.* April.—Joseph Fairbrother, a boy 15 years old, was at the depot at Guilford and attempted to couple a car. He caught his arm between the cars crushing it near the elbow. The surgeons, Drs. Buck and Patten, decided to take the arm off near the shoulder joint, but the boy died within within twenty-four hours after the operation.

There were two other accidents, which it may not be out of place for us to refer to, as illustrating the want of proper qualifications by employees or the neglect of proper discipline by superintendents, neither of which can the management of a railroad afford to tolerate for a single day.

One occurred upon the European and North American Railway of New Brunswick, not in Maine, but in New Brunswick, to which we may properly allude, as that road has since become consolidated with the European and North American Railway of Maine. On the 23d of November, a construction train was in a cut loading with stone, when a freight train came from the west and ran into the construction train, instantly killing the engineer, Angus Murray, and fireman Edward Sheehan of the freight train. The coroner's jury found that the freight train was ahead of its time. If this was so, it was criminally in fault; and the engineer and conductor of the train were unfit persons for their respective positions, or the superintendent had neglected to enforce proper discipline upon his road. Unfitness of the one, or neglect, which is only another word for incompetency in railroad matters—of the other caused two deaths, occasioned injury to the road and destruction of its equipment, and impaired confidence in the carefulness and ability of its management. Competency in employees, and discipline, enforced with military exactitude, are conditions of safety that the public have a right to require of railroads as common carriers, the want of which the Legislature should visit with their severest penalties.

The other happened at Seabrook, New Hampshire, upon the Eastern road, not in Maine but to a Maine train with Maine passengers on board, and by which two Maine men, Mr. Norton and Mr. Heywood, lost their lives. A switch was left open, and the night express from Portland was thus left to project itself into a freight train standing upon the side track, with all the weight of its heavy train and the momentum of its great speed.

The switch did not open itself—it was somebody's neglect that it was left open. And there is no excuse for such neglect, whether it arose from original incapacity on the part of the employee, in which case he should not have been employed; or from want of discipline by the superintendent to enforce observance of all rules, and strict compliance with all duties. We do not mean to express an opinion in this sad case at variance with the finding of the coroner's jury, but to give the lesson it teaches without intending

prejudice to any one upon the assumption of the facts as we briefly state them and as they have been reported to us.

Several of the accidents of the year past, it will be noticed, have occurred in shackling and unshackling cars. Employees should be taught to use greater care in the performance of this simple duty, and new hands should be cautioned against its peculiar dangers. There is no duty of a railroad employee so simple that it does not require to be learned, nor so plain and easy that it does not require attention and self-possession in its performance. Nor is there any duty of an employee of so little moment that its neglect may not endanger his own life or that of others.

Bridge "guards" have not been put up in all cases upon all the roads. Several employees during the year have been killed coming in contact with over-head bridges, and we beg to refer to the remarks we made upon this matter in our last Report, and again commend the subject to the Railroad Committee of the Legislature as worthy their consideration, and perhaps deserving some stringency of legislation.

*Miles of Railway in Maine.*

Portland, Saco and Portsmouth.....	52 miles.
Portsmouth, Great Falls and Conway.....	4 $\frac{1}{4}$ "
Boston and Maine.....	2 $\frac{1}{2}$ "
Portland and Rochester.....	49 $\frac{1}{2}$ "
Portland and Kennebec.....	100 "
Bath Branch of Portland and Kennebec.....	9 "
Androscoggin.....	71 $\frac{1}{2}$ "
St. Croix and Penobscot.....	22 "
Belfast and Moosehead Lake.....	33 $\frac{1}{3}$ "
Grand Trunk.....	82 "
Maine Central.....	127 $\frac{1}{2}$ "
Newport and Dexter.....	14 "
Portland and Oxford Central.....	27 $\frac{1}{2}$ "
Bangor and Piscataquis.....	48 $\frac{17}{100}$ "
Consolidated European and North American.....	114 "
Portland and Ogdensburg.....	60 "
Houlton Branch.....	3 "
Knox and Lincoln.....	48 $\frac{1}{2}$ "
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	868 $\frac{17}{100}$ "

No new roads have been opened this year.

The Boston and Maine has been extended under charter granted by the last Legislature, from South Berwick to Portland, 44 miles, and iron laid, but the extension has not yet been opened for passenger trains.

Rails have been laid upon the Somerset Railroad from West Waterville to Norridgewock, 13 miles, but the road is not yet open for travel.

The Knox and Lincoln has been extended at Rockland to tide water,  $1\frac{1}{4}$  miles, and the rails laid.

New railroad projects are under consideration in parts of the State for which charters have been granted, and some of them are maturing into the appearance of early construction.

We closed our report last year with the remark that "the Commissioners have briefly stated the nature of their limited jurisdiction, that the Legislature may clearly see that their right of interference is only advisory except only in case of existing unsafety at the time of examination. They have no power or right or means to ward off prospective dangers except only the visitorial power of advice and suggestion. Whether they should be clothed with fuller powers or the Governor or the Governor and Council upon their application, should be authorized to act as the exigencies of travel or public safety might require under such limitations as the good sense of the Legislature may prescribe, we submit without definite recommendation to the careful thought of the law-making power."

Perhaps we ought not now to say more, but we entertain and may be pardoned the expression of the conviction that there should be lodged somewhere a power quicker of execution and more effective than is now entrusted to the railroad commissioners or to the court, to arrest in case of imminent or probable danger—the passage of trains over unsafe roads. The Commissioners may feel morally certain that a railroad bridge or culvert or embankment is unsafe for cars to pass over, but they have no power to stop the trains or right to order them stopped or means at command themselves to avert the impending peril—they can only give the managers of the road in fault notice of its unsafety, requesting them to repair it within a fixed reasonable time and then in case the repairs are not so made, the commissioners can only by "petition" advise the court of the condition of the road and the neglect of the managers to repair it. The court then comes into possession of the case, but is as powerless of relief as were the railroad

commissioners before. It cannot stop the trains, or order them stopped. It can only order the repairs it deems necessary to be made and within such reasonable time as it may fix, and may require the managers of the road to give "bond to the State with sufficient sureties" that they will comply with such order of the court. If the bond with sureties is given, the road may still not be repaired; if it is not given as required, the court then only can enjoin the running of cars with passengers over it. But this is at shortest after the lapse of the reasonable time for repairs allowed by the commissioners, and such further time as there may be before the then next term of the court in the county in which the road is, the trains all the while running at the hazard of lives, whose loss no "bonds and sureties" can compensate and no after injunction can atone for. And if "bond and sureties" are given, does the "petition" of the railroad commissioners become functus officio, leaving the remedy on the bond only? Or if not, as we think, may another order be passed, at the expiration of the time in which the bond stipulated the repairs should be made, and as this last order, bond and sureties again be required, and if so why may they not again be given? And thus the public safety be foiled of its security by a corporation that has its existence by grace of that public, and whose uses that public have a right to control and whose abuses of its franchise it is the duty of that public to punish.

Complaint was made last year, and noticed in our Report, that passengers were detained at Yarmouth Junction by the arrangement of arrival and departure of trains at that station. This inconvenience has been partially remedied, but travelers coming on one road and wishing to take the cars on the other, are still detained several hours by reason of the arranged departure of the out-going train a few minutes before.

Complaint somewhat similar is also made that the connections of the Somerset portion of the Maine Central with its Penobscot portion have recently been made such, that persons wishing to go from parts of Somerset to Bangor and Belfast, cannot do so without an absence from home for an unreasonable time.

But we are not aware that the Railroad Commissioners have any jurisdiction over these or kindred questions of railroad connections. We feel clear the State has the right of intervention in the matter of railroad connections, but whether it be wise without more urgent public exigency, and if so, how to exercise this right of sovereignty, the Legislature will decide.

In case of the foreclosure of mortgages upon railroads all the "holders of bonds, coupons and other claims secured thereby, and they and their successors and assigns are constituted a corporation as of the date of the foreclosure, for all the purposes, with all the rights and powers, duties and obligations of the original corporation by its charter," and the trustees are required to convey to such new corporation all the right, title and interest which they had by the mortgage and the foreclosure. This enables unpaid bond holders of a road, under any one of its mortgages, to become a self-constituted corporation, at their pleasure after foreclosure, without the then consent or sanction of the Legislature. The new corporation would have to pay the prior liens upon its road, but would it not be free from liability for the floating debt and for the contracts of the old corporation? There may never be danger that hereafter an embarrassed road in Maine may seek to unload itself of its debts and contracts by an amicable foreclosure of one of its mortgages—the bonds secured by which may be held by friends. There may never be in Maine a road whose embarrassed condition would tempt it to become thus *felo de se*, but there have been of late imputations upon railroad management out of Maine, that are suggestive to us of all the precautions which can be used, whilst upholding the present high character of our railroad direction, to protect the public in the very large investments it has made in railroad stocks and securities. The bond holders are entitled to the rights of mortgagees, and to the possession and fruits of the road under foreclosure,—but the rights and franchise of a new corporation—may not the Legislature well hold in abeyance until it pleases, at the expiration of the foreclosure to confer them with such conditions of safety as may then seem to it meet, or to withhold them in case of apprehended danger from their exercise?

Railroads have become in a measure the highways of the State; any proposed legislation, therefore, that may reasonably promise greater safety to travelers upon them will, we think, have the favor of the public ear, and any legislation that may tend, without injury to other interests to the appreciation and assurance of the very large investments made by our own citizens in them, may not be prejudicial to the public weal.

S. H. BLAKE,  
A. W. WILDES,  
S. T. CORSER.

AUGUSTA, December 31, 1872.