

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Fifth Legislature.

HOUSE.

No. 122.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-ONE.

AN ACT to incorporate the Calais Electric Railway
Company.

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

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

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

SECT. 3. The company shall have the right from the going into force of this act, of constructing, maintaining and operating a line or lines of single or double track railway, with the necessary side tracks, switches and turnouts, and other appliances for the passage of cars, carriages or other vehicles upon and along such streets of Calais as the city council may permit, beginning at the end of the Ferry Point bridge, on the right bank of the river Saint Croix, through the entire length of Main Point and Depot streets, through North Milltown, Union or Monroe streets, and any of their intersecting streets, from the point where they leave Main street, to the Upper bridge, so called, in Milltown, or along any other street or streets said company may require for street railway purposes, now laid out or to be laid out in said city of Calais, subject to the approval of the city council thereof. In case said road, after its construction, shall not be operated for one year, the city council may order the rails taken up and the streets properly repaired, and procure the same to be done and pay the expense thereof out of the proceeds of the sale of said rails. Said company shall, at all times, so construct its railroad as not to interfere with .

23 the grade of the streets, and said city shall, in no event,
24 be liable for damages for any change of the street grade.

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

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

SECT. 6. The cars to be of an improved kind, approved
2 by the city council and to be propelled by electricity.
3 The cars shall be maintained by the company in good
4 order and in a clean state, and run over the entire line
5 daily; horses to be provided with bells and cars with
6 signal lights. Said company shall provide for the disposal
7 of ice and snow from or near the track, so as to prevent
8 the unnecessary obstruction of the street; and if the said
9 company, when notified by the street commissioner, fails
10 to comply with this provision, then said commissioner may
11 dispose of the same at the expense of the company.
12 Barges approved by the city council, propelled by horses
13 or other motive power may be run in winter. The mini-
14 mum rate of a single fare to be five cents, except to school
15 children, to whom forty tickets shall be sold for one dollar.
16 The city of Calais shall not be liable to pay for any dam-
17 age to persons or property, occasioned by any negligence
18 or fault of said railway during construction or operation.

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

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

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

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

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

SECT. 12. Said corporation shall be liable for any loss or damage which any person may sustain by reason of

3 any carelessness, neglect or misconduct of its servants or
4 agents, or by reason of any defect in so much of said
5 streets or roads as is occupied by said railroad during
6 construction or operation, if such defect arises from neg-
7 lect or misconduct of the corporation, its servants or
8 agents; and in actions brought against the company to
9 recover damages by reason of such defects, the plaintiff
10 shall have the rights and be subject to the burdens of
11 proof and limitations and conditions provided by the gen-
12 eral statutes applicable to suits for such causes against
13 towns, the directors of said company standing in this
14 respect in place of town officers.

SECT. 13. If any person shall wilfully and maliciously
2 obstruct said corporation in the use of its road or tracks, or
3 the passing of the cars or carriages of said corporation
4 thereon, such person, and all who shall aid and abet
5 therein, shall be fined not exceeding two hundred dollars,
6 or imprisoned in a county jail not exceeding sixty days.

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

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

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



STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 19, 1891. }

Tabled, pending first reading, by Mr. PORTER of Bangor, and ordered
printed.

W. S. COTTON, *Clerk.*