

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Sixty-Sixth Legislature.

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HOUSE.

No. 267.

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## STATE OF MAINE.

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

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AN ACT to incorporate the Calais Street Railway.

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

SECTION 1. George A. Curran, Willard H. Pike,  
2 Charles D. Hill, Samuel D. Leavitt, Frank Todd,  
3 Thomas P. Robinson, George R. Gardner, L. G. Downes,  
4 A. McNichol, W. A. Murchie, George H. Eaton, S. S.  
5 Pineo, J. S. Clark, C. R. Whidden, F. T. Waite, George  
6 A. Lowell, P. M. Pirington, H. D. Pike, G. G. King, J.  
7 G. Murchie, C. E. Swan, E. B. Harvey, R. B. Tyler,  
8 Edward Moore, J. Murray Hill, C. H. Newton, John  
9 Prescott, Frank Nelson, Elwell Lowell, C. B. Rounds,  
10 and Charles D. Haines and such other persons as they

11 may associate with them, and their successors, shall be a  
12 body corporate for the purpose of constructing and oper-  
13 ating street railways under the name of the Calais Street  
14 Railway Company.

SECT. 2. The capital stock of said company shall be  
2 one hundred thousand dollars in shares of one hundred  
3 dollars each. The directors shall have absolute power and  
4 authority to transfer and issue stock to any person, in con-  
5 sideration of any claim or demand against the company or  
6 in payment for any property, right or privilege granted to  
7 the company, and such stock shall be the same as if actual  
8 cash had been paid therefor.

SECT. 3. The company shall have the right to con-  
2 struct, maintain and operate a line or lines of single or  
3 double track railway with the necessary side tracks,  
4 switches and turnouts, and other appliances for the pas-  
5 sage of cars, carriages or other vehicles, upon or along  
6 such streets in the city of Calais, now or hereafter laid  
7 out, as the city council of said Calais may permit, includ-  
8 ing the right to bridge or otherwise cross the Saint Croix  
9 river to the boundary line between Maine and New Bruns-  
10 wick, across tide waters where vessels can navigate at  
11 the Ferry Point bridge, so called, or at any point above  
12 said bridge where any street reaches the river or where  
13 said company may acquire other approaches to said river,  
14 by purchase or otherwise, subject to the consent and  
5 approval of the city council.

SECT. 4. The tracks shall be laid in such parts of the  
2 streets as the city council may direct; the guage of track  
3 to be not more than four feet, eight and one-half inches.  
4 The city council shall have the right to determine

5 whether any street railway shall be built, and to desig-  
6 nate the streets over which said railway may run. And  
7 unless application is made to the city council for per-  
8 mission to construct a street railway under this charter,  
9 and a contract entered into for its construction within  
10 four months from the passage of this act, the incorpo-  
11 rators herein named, and their associates, shall transfer  
12 and assign this charter to such persons as the city coun-  
13 cil may select, and this charter shall be void and of no  
14 effect, unless work of construction shall be commenced  
15 within two years from the passage of this act.

SECT. 5. Said company shall build its road so as not  
2 to interfere with the grade of any street, and shall con-  
3 form to any change of street grade when required by the  
4 city council. And said company shall be liable for all  
5 damages to persons and property caused by its failure to  
6 conform to the existing grade, or to the grade at any time  
7 hereafter established, of any street on which its tracks  
8 may be laid. And if, after its construction, any part of  
9 said railway shall not be operated for one year, the city  
10 council may order the rails taken up and the streets  
11 properly repaired, or may cause the same to be done, the  
12 expense to be paid out of the proceeds of the sale of said  
13 rails. Said company shall keep in good repair the streets  
14 between the rails and two feet outside of said rails, and  
15 shall make all other repairs on said streets, which in the  
16 opinion of the city council are rendered necessary by the  
17 occupation of the same by said company, and if the com-  
18 pany fails to make such repairs after reasonable notice,  
19 the city council may make the repairs at the expense of  
20 the company. The rails shall not be laid over one inch  
21 above the level of the street.

SECT. 6. The cars shall be of a kind approved by the  
2 city council, shall be kept in good order, and run over  
3 the line daily, and be provided with signal lights and  
4 alarm bells. The rate of speed may be fixed, from time  
5 to time, by the city council, as the public safety and con-  
6 venience may require. Barges propelled by horses may  
7 be used in winter, and said company shall provide for the  
8 disposition of ice and snow from the track in such man-  
9 ner as the street commissioner of said Calais may direct,  
10 and on failure to do so, the commissioner may remove  
11 the same at the expense of said company. The maximum  
12 rate of a single fare, except by the consent of the city  
13 council, shall be five cents, and for school children forty  
14 tickets for one dollar. The city of Calais shall not be  
15 liable for any damage to persons or property occasioned  
16 by said company or its officers, agents or servants, during  
17 construction or operation of said railway.

SECT. 7. The company may purchase, lease, acquire  
2 and transfer all real and personal estate necessary for car-  
3 rying on its business, and may lease the property and  
4 franchise of the Saint Stephen Electric Railway Company.

SECT. 8. The directors of this company may, from  
2 time to time, raise or borrow for the use of said company,  
3 any sums not exceeding one hundred thousand dollars by  
4 the issue of bonds or debentures in sums of not less than  
5 one hundred dollars each, on such terms as they think  
6 proper, and may pledge, or mortgage all the property,  
7 franchise and income of the company, or any part thereof,  
8 for the payment of sums so borrowed and interest thereon,  
9 provided, that the consent of the majority in value of the  
10 stockholders shall be first obtained at a special meeting  
11 called for that purpose.

SECT. 9. All damage done to gas and water pipes or  
2 sewers in laying said tracks shall be paid by said com-  
3 pany, and it shall be liable for any loss or damage sus-  
4 tained by reason of any carelessness, neglect or miscon-  
5 duct of its servants or agents, or by reason of any defect  
6 in so much of the streets as is occupied by said company  
7 during construction or operation, if such defect arises  
8 from the neglect of the company, its servants or agents.  
9 Nothing herein contained shall be construed to prevent  
10 the city from entering upon, and taking up any part of  
11 the streets occupied by said company, for any purpose  
12 for which it is now lawful to take up the same.

SECT. 10. Any person who shall wilfully and mali-  
2 ciously obstruct said corporation in the use of its road or  
3 tracks or the passing of its cars or carriages thereon, shall  
4 be fined not exceeding two hundred dollars or imprison-  
5 ment not exceeding sixty days.

SECT. 11. The first meeting of this company may be  
2 called by either of the corporators giving written notice to  
3 the others at least five days before the meeting, of the  
4 time and place thereof.

SECT. 12. This act shall take effect when approved.







STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
March 7, 1893. }

Reported by Mr. MCCULLOUGH of Calais, from Committee on Rail-  
roads, Telegraphs and Expresses, and ordered printed under House rules.

W. S. COTTON, *Clerk.*