

MAINE STATE LEGISLATURE

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Sixty-Sixth Legislature.

SENATE.

No. 34.

STATE OF MAINE.

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

AN ACT to incorporate the Caribou, Presque Isle and Fort
Fairfield Street Railroad Company.

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

SECTION 1. Albe Holmes, George I. Trickey, N. S.
2 Bartlett, Charles E. Oak, Oscar Iverson, W. C. Spauld-
3 ing, Herschel Collins, C. B. Roberts, E. P. Grimes,
4 William McLellan, E. Albe Holmes, J. A. Clark, C. F.
5 Thomas, J. D. Teague, Samuel Taylor, L. C. Stearnes,
6 S. L. White, of Caribou; M. N. Drew, G. E. Bartlett,
7 J. F. Hacker, A. C. Carey, E. L. Houghton, Herbert
8 N. Goodhue, L. K. Carey, Arthur F. Goodhue, F. W.
9 Burnes, J. B. Williams, M. F. Dorsey, L. N. Richards,
10 A. P. Libby, H. O. Perry, of Fort Fairfield; James H.
11 Bolton, T. H. Phair, Charles P. Allen, G. H. Freeman,

12 George H. Smith, C. F. Daggett, Fred Barker, A. M.
13 Smith, Sidney Graves, Edward Wiggin, A. R. Gould,
14 Bion B. Lancaster, T. N. Ervine, E. E. Parkhurst, of
15 Presque Isle, their associates, successors and assigns,
16 are hereby constituted a corporation by the name of
17 the Caribou, Presque Isle and Fort Fairfield Street
18 Railroad Company, with authority to construct, maintain
19 and use a street railroad to be operated by electricity,
20 with convenient single or double tracks, side tracks,
21 switches or turnouts, with any necessary or convenient
22 lines of poles, wires, appliances, appurtenances or con-
23 duits, from or near the intersection of Main, High and
24 Sweden streets in Caribou, over the main traveled high-
25 way to the intersection of Main and Bridge streets in the
26 town of Presque Isle, also from said intersection of Main,
27 High and Sweden streets in Caribou, over the main trav-
28 eled highway to the bridge in the lower village in Fort
29 Fairfield, and from and to such other points and upon
30 and over such other streets and ways in the said towns of
31 Caribou, Presque Isle and Fort Fairfield as shall from
32 time to time be fixed and determined by the municipal
33 officers of said towns and assented to in writing by said
34 corporation, and shall also have authority to construct,
35 maintain and use said railroad over and upon any lands
36 where the land damages have been mutually settled by
37 said corporation and the owners thereof, provided, how-
38 ever, that all tracks of said railroad shall be laid at such
39 distances from the sidewalks in any of said towns as the
40 municipal officers thereof shall, in their order fixing the
41 routes and locations of said railroad, determine to be for
42 public safety and convenience. The written assent of

43 said corporation to any vote of the municipal officers of
44 either of said towns, prescribing from time to time, the
45 routes of said railroad therein, shall be filed with the
46 clerk of said town and shall be taken and deemed to be
47 the location thereof. Said corporation shall have power,
48 from time to time, to fix such rates of compensation for
49 transporting persons and property as it may think expe-
50 dient, and shall have all the powers and be subject to all
51 the liabilities of corporations as set forth in the forty-
52 sixth chapter of the Revised Statutes.

SECT. 2. The municipal officers of said towns shall have
2 power, at all times, to make all regulations as to the rate
3 of speed, the removal of snow and ice from the streets,
4 roads and ways by said company at its expense, and mode
5 of use of tracks of said railroad within each of said towns
6 as public convenience and safety may require.

SECT. 3. Said corporation shall keep and maintain in
2 repair such portions of the streets and ways as shall be
3 occupied by the tracks of said railroad, and shall make all
4 other repairs of said streets, roads and ways within either of
5 said towns which in the opinion of the municipal officers
6 of said town may be rendered necessary by the occupation
7 of the same by said railroad and if not repaired upon
8 reasonable notice, such repairs may be made by said town
9 at the expense of said corporation.

SECT. 4. If any person shall wilfully or maliciously
2 obstruct said corporation in the use of its roads or tracks
3 or the passing of the cars or carriages of said corporation
4 thereon, such person and all who shall aid or abet therein,
5 shall be punished by a fine not exceeding two hundred
6 dollars or with imprisonment in the county jail for a period
7 not exceeding sixty days.

SECT. 5. The capital stock of said corporation shall not
2 exceed three hundred thousand dollars, to be divided into
3 shares of one hundred dollars each.

SECT. 6. Said corporation shall have the power to lease,
2 purchase or hold such real or personal estate as may be
3 necessary and convenient for the purpose of management
4 of said road.

SECT. 7. Said railroad shall be constructed and main-
2 tained in each of said towns, in such form and manner
3 and with such rails and upon such grade as the municipal
4 officers of said town shall direct, and whenever in the
5 judgment of the said corporation it shall be necessary to
6 alter the grade of any street or way, said alteration may
7 be made at the sole expense of said corporation, provided
8 the same shall be assented to by the municipal officers of
9 the town wherein the said grade so sought to be changed
10 is located. And said corporation shall not be liable to
11 any abutting land owners for any such alteration or grade.
12 If the tracks of said corporation's railroad cross any other
13 railroad at any time and a dispute arises in any way in
14 regard to the manner of crossing, the board of rail-
15 road commissioners of this State shall upon hearing,
16 decide and determine in writing in what manner the
17 crossing shall be made, and it shall be constructed
18 accordingly.

SECT. 8. Said corporation may change the location of
2 said railroad at any time by first obtaining the written con-
3 sent of the municipal officers of the town in which the
4 change is so sought to be made, and to make additional loca-
5 tions, subject to the foregoing provisions and conditions.

SECT. 9. Nothing in this act shall be construed to prevent the proper authorities of either of said towns from entering upon and taking up any of the streets or ways in either of said towns, occupied by said railroad for any purpose for which they may lawfully take up the same.

SECT. 10. No other corporation or person shall be permitted to construct or maintain any railroad for similar purposes over the same streets or ways that may be lawfully occupied by this corporation.

SECT. 11. Said railroad shall not be taken or deemed to be a railroad within the meaning of that term as used in the Public Laws of this State, but shall have all the rights and be subject to all the liabilities of horse roads within the State.

SECT. 12. Said corporation is hereby authorized to issue bonds in such amount and on such time as may from time to time be determined, in aid of the purposes specified in this act, and to secure the same by mortgage of its franchises and property. It is also hereby authorized to lease all of its property and franchises upon such terms as it may determine.

SECT. 13. The first meeting of said corporation may be called by any two of said incorporators giving actual notice in writing to their several associates, and said corporation may make such by-laws as are proper and not contrary to the laws of the State.

SECT. 14. This charter shall be null and void unless operations for building this railroad shall have been actually commenced within six years from date of the passage of this act.

SECT. 15. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 9, 1893.

Pending reference to Committee on Railroads, Telegraphs and Expresses in concurrence, laid on table to be printed, on motion by Mr. THATCHER of Penobscot.

KENDALL M. DUNBAR, *Secretary.*