

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 553

In Senate, March 19, 1913.

*Reported by Senator Maxwell from Committee on Railroads
and Expresses, and ordered printed under joint rules.*

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to incorporate the Houlton Street Railway Company.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Arthur R. Gould, Horace N. Crandall, both of
2 Presque Isle, Maine, Parker P. Burleigh and Ira G. Hersey,
3 both of Houlton, Maine, and their associates, successors and
4 assigns, are hereby created a body corporate under the name
5 of Houlton Street Railway Company, with all the powers,
6 rights and privileges incident to a street railway corporation.

Sect. 2. Said corporation is hereby authorized and em-
2 powered to construct, equip, maintain and operate by elec-
3 tricity, compressed air or storage battery a street railway,

4 with convenient single or double tracks, side tracks or turn-
5 outs, with all necessary or convenient line of poles, wires,
6 appliances and conduits, commencing at some point on the
7 line between Maine and New Brunswick, in said Houlton;
8 thence through the streets of said Houlton and along the
9 Bangor road, so called, and across the tracks of the Bangor
10 and Aroostook Railroad, where said tracks cross said Ban-
11 gor road; thence by a general westerly direction along said
12 Bangor road, to the town of New Limerick; thence along
13 any highway in said town of New Limerick to some point
14 on the shores of Nickerson lake, in said town of New Lim-
15 erick, thence through the towns of Linneus and Hodgdon
16 to said Houlton, either on streets, roads or ways, or on pri-
17 vate property, or partly on one and partly on the other, as
18 the directors may deem best for public convenience. All
19 locations upon streets, roads or ways shall be approved by
20 the municipal officers, as provided by the statutes of Maine.
21 In their doings under section seven of chapter fifty-three
22 of the Revised Statutes as amended by chapter one hundred
23 seventy-seven of the Public Laws of 1911, the railroad com-
24 missioners shall not be required to determine that public con-
25 venience requires the construction of such road, but the
26 locations must be approved by them, as by said section re-
27 quired, before said road is constructed.

In approving so much of said location as is upon private
29 property or outside of the limits of streets, roads or ways,
30 or any subsequent change thereof, the railroad commission-

31 ers shall not be required to find that it is impracticable to
32 locate said railroad within the limits of streets, roads or
33 ways, but they shall approve such location so upon private
34 property, upon finding after notices and hearing, that the
35 public service of said corporation would be thereby better
36 performed, and upon such finding, the said Houlton Street
37 Railway Company shall have all the powers otherwise given
38 by the general laws of the state, necessary to take, hold and
39 pay for so much of its location as the railroad commissioners
40 may so approve.

Sect. 3. Said Houlton Street Railway Company may also
2 maintain and operate said railroad upon and over any lands
3 within the limits aforesaid where land damages have been
4 mutually settled by the corporation and owners thereof.

Sect. 4. Said Houlton Street Railway Company may by
2 its servants and agents and teams lawfully enter upon any
3 land within the limits aforesaid for the purpose of making
4 any and all necessary surveys in order to determine where
5 on the face of the earth it will definitely locate the line of
6 its railroad. And while making any such survey, it may
7 lawfully erect and maintain camps for the shelter of its
8 servants, agents and teams, but it shall be liable to the land
9 owner for all damages done by its servants, agents and teams
10 and caused by making its surveys and the erection of camps.

Sect. 5. Said Houlton Street Railway Company is au-
2 thorized to carry on the business of an express company and
3 to maintain telephone and telegraph lines for its own use

4 and for public use, along its location and to its various offices.

Sect. 6. The Canadian Pacific Railway Company and said
2 Bangor and Aroostook Railroad Company shall allow and
3 permit said Houlton Street Railway Company to make con-
4 nections with said railways so cars, trains and freights can
5 be transferred from any of said railways to the other.

Sect. 7. Said Houlton Street Railway Company shall have
2 the power to make, retain and establish all necessary by-laws
3 and regulations consistent with the statutes and laws of the
4 state of Maine, for its government and for the due and
5 orderly conduct of its affairs and the management of its
6 property.

Sect. 8. The officers of said corporation shall be a board
2 of directors, a president, a clerk, a treasurer and such other
3 officers as provided by the by-laws. The powers and duties
4 of such officers shall be prescribed in the by-laws.

Sect. 9. The capital stock of said Houlton Street Railway
2 Company shall be fixed at the first meeting of said corpora-
3 tion, with the right to increase the same up to two hundred
4 and fifty thousand dollars, and shall be divided into shares
5 of one hundred dollars each.

Sect. 10. Said Houlton Street Railway Company may
2 make contracts with persons or corporations to supply it
3 with power for all purposes, and shall have the power to
4 lease, purchase, hold and transfer such real and personal
5 estate and motive power, as may be necessary and conve-
6 nient for its purposes, and may develop water power for the

7 generation of electricity for the operation of its business.

Sect. 11. A toll is hereby granted for the benefit of said
2 Houlton Street Railway Company upon all passengers and
3 freight which may be conveyed and transported on or over
4 its railroad, at such rates as may be established by its direct-
5 ors, and on such business as it may do over its telephone
6 and telegraph lines, and through its express facilities, sub-
7 ject to such general laws relative thereto as are or may from
8 time to time be established by the legislature.

Sect. 12. Said Houlton Street Railway Company is au-
2 thorized from time to time to issue its interest-bearing bonds
3 upon such rates and times, and to such amounts as may be
4 expedient, secured by mortgage of its property, franchise,
5 leasehold or other interests, for any purpose deemed neces-
6 sary by it in the location, construction, completion, im-
7 provement, enlargement or operation of its railroad and ap-
8 pendages, or in the transaction of its business.

Sect. 13. Except as modified by this act, the said Houl-
2 ton Street Railway Company shall have all the power, au-
3 thority, rights and privileges given by chapter fifty-three of
4 the Revised Statutes of Maine and all acts additional there-
5 to or amendatory thereof, and shall also be subject to all
6 the duties prescribed by said chapter fifty-three and acts
7 additional thereto and amendatory thereof.

Sect. 14. The first meeting of said Houlton Street Rail-
2 way Company may be called by any three of the corporators
3 above named, by notice thereof in writing, signed by said

4 three corporators and given in hand or mailed to each of
5 the other corporators at least seven days before said meet-
6 ing, and any corporator may act at such meeting by written
7 proxy.

Sect. 15. This charter is granted inasmuch as the objects
2 thereof cannot be attained under the general laws of the
3 state of **Maine.**