

MAINE STATE LEGISLATURE

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Sixty - Third Legislature.

HOUSE.

No. 193.

STATE OF MAINE.

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

AN ACT to amend chapter one hundred and twenty of the Private and Special Laws of A. D. eighteen hundred and seventy-two, entitled "An Act to Incorporate the Penobscot Central Rail Road Company," as amended by chapter four hundred and sixteen of the Private and Special Laws of A. D. eighteen hundred and seventy-four, and to extend the time for building said road.

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

SECTION 1. Section one of chapter one hundred and 2 twenty of the Private and Special Laws of eighteen hun- 3 dred and seventy-two, as amended by chapter four hundred 4 and sixty of the Private and Special Laws of eighteen 5 hundred and seventy-four is hereby amended so as to read 6 as follows:

‘SECT. 1. John Morrison, Charles P. Brown, J. C. 8 White, John B. Nichols, T. P. Bachelder, E. T. Flint,

9 John H. Ramsdell, D. F. Davis L. A. Bowler, Thomas
10 R. Kingsbury, Lyndon Oak, George Clark, T. J. Peaks,
11 William Dunning, George F. Hill, Ira W. Davis, T. Me.
12 Donald, John H. Garvin, Jacob Eastman, Frank C. Bar-
13 ker, John Brown, Elisha Peirce, Simon G. Jerrard, their
14 assigns, associates and successors, are hereby made and
15 constituted a body politic and corporate, by the name of
16 the Penobscot Central Rail Road Company, and by that
17 name may sue and be sued, plead and be impleaded, and
18 shall enjoy all proper remedies at law and in equity to
19 secure and protect them in the exercise of their rights and
20 privileges, and in the performance of their duties; and
21 said corporation is hereby authorized and empowered to
22 locate and construct, and finally complete, alter and keep
23 in repair a rail road, with one set or more of rails or tracks,
24 with all suitable bridges, tunnels, viaducts, turnouts, cul-
25 verts, drains and all other necessary appendages, from the
26 Maine Central Depot in Bangor, or from some point on the
27 line of said Maine Central Railroad in said Bangor, or from
28 some point at or near tide-water in said Bangor; thence
29 running northerly and north-westerly through the towns of
30 Bangor, Hermon and Glenburn, or either of said towns
31 of Hermon or Glenburn, Kenduskeag, Corinth, Charles-
32 ton, Atkinson, Orneville and Milo, to Milo Junction, so
33 as to connect with the Katahdin Iron Works Rail Road at
34 said junction.'

SECT. 2. An additional term of two years from and
2 after the thirty-first day of December in the year of our
3 Lord one thousand eight hundred and eighty-seven is
4 hereby granted to said Penobscot Central Rail Road Com-
5 pany in which to organize, locate and survey its route,

6 and complete its road; *provided, however,* that if the
7 Bangor and Piscataquis Railroad Company shall lo-
8 cate a railroad before the first day of June next after
9 the approval of this act, beginning at a point north of the
10 south line of the city of Bangor at or near tidewater
11 and thence northerly and north-westerly by a feasible
12 route to the line of the Bangor and Piscataquis Railroad
13 as now constructed to Milo Junction in the town of Milo,
14 or to the line of the Bangor and Piscataquis Railroad
15 within one mile south of the Piscataquis River bridge
16 below Milo Junction, said route to go through the town
17 of Charleston, through the town of Corinth within one
18 hundred rods of East Corinth Village and through the
19 town of Kenduskeag, and shall grade and complete not
20 less than ten miles of said line within one year from the
21 approval of this Act, and complete the road and put
22 the same in good running order from Bangor to the
23 connection with the Bangor and Piscataquis Railroad
24 as aforesaid within two years from the approval of this
25 act, the foregoing amendments to the charter of the
26 Penobscot Central Rail Road Company shall not take
27 effect; but if the Bangor and Piscataquis Railroad Com-
28 pany fails to comply with the terms of this proviso, or
29 shall before the first day of August next waive by written
30 notice from the Board of Directors all rights under the
31 same, the aforesaid amendments to the charter of the said
32 Penobscot Central Rail Road Company shall take effect
33 and extend four years from the date of the approval of
34 this act. It is further provided herein that the Bangor
35 and Piscataquis Railroad Company may at any time acquire
36 of the Penobscot Central Rail Road Company by lease,

39 purchase or otherwise all the charter rights of the latter
40 company upon terms agreed to by the two corporations.

SECT. 3. If said road is constructed under the foregoing
2 proviso the Bangor and Piscataquis Railroad Company is
3 authorized to secure its bonds for the construction of the
4 same by mortgage on its line of railroad from Milo to
5 Bangor which shall be a first lien on that part of the
6 railroad, and the city of Bangor may release its claim
7 on that part of the railroad; and said company may
8 issue preferred stock to an amount to be determined by
9 its board of directors, which shall be entitled to such por-
10 tion as the directors may determine at the time of issue
11 of the earnings of that part of the railroad subject to such
12 mortgage and bonds if made and issued.

SECT. 4. Section eight, of said chapter one hundred and
2 twenty, of the Private and Special Laws of 1872, is
3 amended by adding thereto the words, 'or to issue pre-
4 ferred stock to such an amount, and upon such terms as
5 the directors may determine.'

SECT. 5. This act shall take effect when approved.

AMENDMENTS to bill Penobscot Central Railroad,
House Printed Bill No. 187.

Insert after the word "Bangor," in line 27th, Sec.
2 1, the words 'or from some point at or near tide-
3 water in said Bangor.'

Strike out in the 25th line of Sec. 2, the words
5 "Milo Junction," and insert in lieu thereof the words
6 'the connection with the Bangor and Piscataquis
7 Railroad as.'

Strike out in the 7th, 8th, 9th and 10th lines of
9 Sec. 2, the words "under an act additional to the
10 acts which constitute the charter of the Bangor
11 and Piscataquis Railroad Company, approved Feb-
12 ruary sixth, eighteen hundred and seventy-seven."

Substitute, for Sect. 3, as follows:

'If said road is constructed under the foregoing
15 proviso, the Bangor and Piscataquis Railroad Com-
16 pany is authorized to secure its bonds for the con-
17 struction of the same, by mortgage on its line of
18 railroad from Milo to Bangor, which shall be a
19 first lien on that part of the railroad, and the city
20 of Bangor may release its claim on that part of the
21 railroad; and said company may issue preferred

22 stock to an amount to be determined by its board
23 of directors, which shall be entitled to such portion
24 as the directors may determine at the time of issue
25 of the earnings of that part of the railroad subject
26 to such mortgage and bonds, if made and issued.'

Add as Sect. 4,

'SECT. 4. Section eight, of said chapter one hun-
29 dred and twenty of the Private and Special Laws
30 of 1872, is amended by adding thereto the words
31 'or to issue preferred stock to such an amount, and
32 upon such terms, as the directors may determine.'

Add as Sect. 5.

'SECT. 5. This act shall take effect when ap-
35 proved.'

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 1, 1887. }

Taken from table on motion of Mr. CLARK of Bangor. Amendment offered and adopted, re-tabled and ordered re-printed with amendment incorporated.

NICHOLAS FESSENDEN, *Clerk.*