

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

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1891.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

Chapter 171.

An Act relating to the Seabasticook and Mooshead Railroad Company.

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

SECT. 1. The Seabasticook and Moosehead Railroad Company, a corporation organized under the laws of this state, having already located, constructed and now operating its railroad from Pittsfield, Maine, to Hartland, Maine, is authorized to make surveys, to locate, construct, equip, maintain, and operate a railroad of the standard gauge with one or more tracks, or sets of rails, with all suitable bridges, viaducts, culverts, drains, turnouts, and all other necessary appendages, from the present terminus of its present road at Hartland, Maine, by a feasible route to some point or place at or near Athens village in Athens, Maine, and not north or west of said village, passing through the towns of Hartland, Athens, Harmony, or any, either or all of said towns, in the county of Somerset, Maine.

Company,
authorized to
construct a
railroad.

—route.

SECT. 2. Said corporation is hereby invested with all the powers, privileges and immunities, which may be necessary to carry into effect the object and purposes of this act, and to this end it shall have the right to take or to purchase and hold or assign and convey the same, so much of the land and other real estate of private persons or corporations as may be found necessary or convenient for the location, construction and convenient operation of said railway; and also have the right to take, remove and use, for the construction and also for the repair of said railway and its appurtenances, any earth, gravel, stone, timber or other materials on or from the land so taken; provided, however, the land so taken shall not exceed six rods in width, except where greater width is necessary for the purpose of excavation or embankment; and provided, also, in all cases said corporation shall pay for such lands, estate or materials such price as it and the owner or owners thereof may mutually agree upon; and in case said parties shall not agree as to the price to be paid, then said corporation shall pay, in any given case, such damages as shall be ascertained and determined in accordance with the provisions of so much of chapter fifty-one of the revised statutes of the state, as relate to the estimation and payment of damages and amendments thereof.

May take land.

—may take
materials.

—damages, how
ascertained.

CHAP. 171

May establish
by-laws.

—may connect
with other lines.

SECT. 3. Said corporation shall have power to make, order and establish all necessary by-laws and regulations consistent with the constitution and laws of this state, for its own government and for the due and orderly conducting of its affairs and management of its property; and it is also hereby authorized and empowered to make connection with any other railroad corporation, to lease or sell its line of railway and property, either before or after its completion, to any other railroad company, either domestic or foreign, to take a lease of or buy any other connecting line of railroad and property, whether domestic or foreign, either before or after its completion, and to amalgamate its stock with the stock of any connecting railroad company whether domestic or foreign, either before or after its completion, and to amalgamate its stock with the stock of any connecting railroad company whether domestic or foreign, in order to form with such railroad company a single corporation, upon such terms as may be mutually agreed upon, which lease, sale, purchase or amalgamation shall be binding upon the parties according to the terms thereof, only when ratified by a vote of the stockholders in said corporation present, if a quorum, at any annual meeting or other meeting legally called for the purpose.

May construct
a line of
telegraph.

SECT. 4. Said corporation is hereby authorized to own, construct, maintain and operate a line or lines of telegraph and telephone from the town of Pittsfield through Palmyra, Hartland, Athens and Harmony, or any, either or all of said towns, all in the county of Somerset, Maine, upon and along its line of railroad constructed and to be constructed, upon and along any public highway, railroad, bridge or private lands, and subject to the provisions of chapter three hundred and seventy-eight of the public laws of eighteen hundred and eighty-five, but in such manner as not to incommode or endanger the customary public use thereof, with the right to cut down trees and remove obstacles, when necessary, within the limits aforesaid, except ornamental, fruit or shade trees, and with the power to establish and collect tolls on said line or lines.

—route.
—may cut down
trees and
remove
obstacles.

Damages for
land, how
estimated.

SECT. 5. If the land of any individual or corporation is taken under this act, and the parties cannot agree on the damage occasioned thereby, they shall be estimated, secured and paid in the manner provided in case of land taken for railroads.

SECT. 6. Said corporation is hereby authorized and empowered to connect its line or lines with those of any other telegraph or telephone company or corporation, or to sell or lease its line or lines of telegraph and property and telephone and property, either before or after completion, to any other telegraph or telephone company or corporation, upon such terms as may be mutually agreed upon, which sale or lease shall be binding upon the parties; or may purchase or lease any other line or lines of telegraph or telephone upon such terms and conditions as may be mutually agreed upon.

May connect with other telegraph lines.

SECT. 7. For the purpose of raising means and funds to accomplish the objects and purposes of this act, and for the payment of its debts and liabilities, for the satisfaction of all claims and rights arising from any of its former liabilities and judgments heretofore obtained against it, for the further extension, construction, equipment and improvement of its present road, and of its proposed extension as in this chapter provided, both as to its road and line of telegraph and telephone said corporation is hereby authorized to make and issue its bonds, in such form and manner, and payable at such times as the directors may, under the circumstances deem advisable, and it may secure the principal and the interest of said bonds by a mortgage of its railway and all its lands, property, rights, privileges and franchises then held, possessed or owned or thereafter acquired by said corporation, made to such persons as trustees and in such form and manner as the directors may appoint, determine and prescribe. The amount of bonds to be thus issued to be determined at an annual meeting of the corporation or a special meeting called for that purpose.

May issue bonds and mortgage property.

SECT. 8. The capital stock of said corporation may, by vote of its stockholders, be increased from time to time, to not exceeding two thousand shares of par value of fifty dollars each, and may issue its scrip, bonds or other negotiable promises to aid the purposes of its incorporation, and may secure the same, or any part thereof, by mortgage of its property or franchise. The time for completing its railroad to Athens, Maine, shall be to March nineteen, in the year of our Lord eighteen hundred and ninety-five.

Capital stock.

—railroad, shall be completed in 1895.

SECT. 9. This charter is granted because the objects sought to be accomplished, can not be fully attained and accomplished

Reason for granting charter.

CHAP. 172

under the general laws for the formation of railroad companies.

Tolls, granted.

SECT. 10. A toll is hereby granted for the benefit of said corporation, upon all passengers and property which may be transported on or over its rails, at such rates as shall be established by the directors, subject to all laws which are or may be hereafter in force in the state. And also tolls for any and all messages sent over its telegraph and telephone wires, to be fixed by its directors.

SECT. 11. This act shall take effect when approved.

Approved March 10, 1891.

Chapter 172.

An Act to authorize the consolidation of certain Railroad Corporations.

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

Sandy River
R.R. Co. and P.
& R. R.R. Co.,
authorized to
consolidate

SECT. 1. The Sandy River Railroad Company and the Phillips and Rangeley Railroad Company, are hereby authorized to consolidate said companies into one corporation in the manner following.

Directors, may
enter into
agreement,
prescribe terms,
etc.

SECT. 2. The directors of said corporations may enter into an agreement under their respective corporate seals, for the consolidation of the said corporations, prescribing the terms and conditions thereof, the mode of carrying the same into effect, the name of the new corporation, the number of directors thereof, which shall not be less than five nor more than eleven, the time and place of holding the first election of directors, the amount of capital, and the number of shares of the stock of the new corporation, the manner of converting the shares of capital stock in each of said corporations into the shares of such new corporation.

Agreements,
must be
sanctioned by
stockholders
of each
corporation.

SECT. 3. Such agreement of the directors shall not be deemed to be the agreement of said corporation, so proposing to consolidate, until after it has been submitted to the stockholders of each of said corporations separately, at a legal meeting thereof, to be called by each corporation in accordance with its charter and by-laws, and has been sanctioned and approved by such stockholders, by the vote of at least a majority of the stock present at such meetings, respectively,