

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-seventh and Eighty-eighth
Legislatures

OF THE

STATE OF MAINE

From April 7, 1935 to April 24, 1937

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842, and Acts approved
August 6, 1930 and April 2, 1931.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1937

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Eighth Legislature

1937

CHAP. 11

Creating a Board of Education for the City of Lewiston' be accepted?" which question shall be printed on the official ballots and at said election the voters of said city in favor of accepting this act shall vote "Yes" and those opposed shall vote "No."

Otherwise said ballot shall be in the form provided by law when a constitutional amendment is submitted to the vote of the people. The provisions of law relating to the preparation of voting lists for municipal elections shall apply to such election and said election shall in all other respects be conducted and the results thereof shall be determined in the manner now provided by law for the determination of the election of mayor. If a majority of the valid ballots cast as aforesaid shall favor accepting the same, then this act shall forthwith take effect as herein provided; otherwise, it shall become null and void.

Emergency clause. In view of the emergency created as recited in the preamble this act shall take effect when approved.

Approved February 19, 1937.

Chapter 10

AN ACT Relating to The Araxine Wilkins Sawyer Foundation.

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

Araxine Wilkins Sawyer Foundation further empowered. The Araxine Wilkins Sawyer Foundation, a corporation organized under the laws of this state, and located at Greene, in the county of Androscoggin, is authorized and empowered for the purposes of its organization, to receive, take, and hold, by deed, devise, bequest, or otherwise, property, personal and real, to the amount of \$500,000 including all gifts, conveyances, bequests and devises heretofore made to said corporation.

Approved February 25, 1937.

Chapter 11

AN ACT to Amend the Charter of the Quebec Extension Railway Company.

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

Sec. 1. P. & S. L., 1913, c. 41, § 1, amended. Section 1 of chapter 41 of the private and special laws of 1913 is hereby amended to read as follows:

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Sec. 1. Corporators. Arthur R. Gould, Charles F. Daggett, Walter M. Seeley, R. H. McDonald and Horace N. Crandall of Presque Isle, Maine; H. D. Collins of Caribou, Maine, and Herbert T. Powers of Fort Fairfield, Maine, and their associates, successors and assigns, are hereby created a body corporate under the name of ~~Quebec Extension Railway Company~~ **Central Aroostook Railway Company**, with all the powers, rights and privileges incident to a street railway corporation, and all the rights, powers, privileges and franchises which were granted heretofore to the Quebec Extension Railway Company, or have been acquired by virtue of said act, may, and shall be exercised in the same manner and for the same purpose, by the Central Aroostook Railway Company, as provided in said chapter 41 of the private and special laws of 1913.'

Sec. 2. P. & S. L., 1913, c. 41, § 4, amended. Section 4 of chapter 41 of the private and special laws of 1913 is hereby amended to read as follows:

Sec. 4. Powers of corporation. In the event of said transfer, said ~~Quebec Extension Railway Company~~ **Central Aroostook Railway Company** upon compliance with the provisions of sections 7 of chapter 65 of the revised statutes, so far as applicable to this act, is hereby authorized and empowered to construct, equip, maintain and operate by electricity, ~~or~~ compressed air, diesel-electric, diesel motor, gasoline-electric, or gasoline motor, a street railway, with convenient single or double tracks, side tracks, or turn outs, with all necessary or convenient lines of poles, wires, appliances, appurtenances and conduits, commencing at some point on the line of the Aroostook Valley Railroad Company in Washburn, where the same is now in operation; thence through Washburn to Wade Plantation, through Wade Plantation, thence by a general westerly direction to the western boundary of the state; by a line which shall not be north of the north line of township 13, range 5, township 13, range 6, (otherwise called Portage Lake), township 13, range 7, township 13, range 8, township 13, range 9, township 13, range 10, township 13, range 11, township 13, range 12, township 13, range 13, township 13, range 14, township 13, range 15, and township 13, range 16, or south of the south line of township 12, range 6, (otherwise called Nashville Plantation), township 12, range 7, township 11, range 8, township 11, range 9, township 11, range 10, township 11, range 11, township 11, range 12, township 11, range 13, township 11, range 14, township 11, range 15, township 11, range 16, and township 11, range 17, either on streets, roads or ways, or on private property, or partly on one and partly on the other, as the directors may deem best for public convenience. All locations upon streets, roads or ways shall be approved by the municipal officers, as provided by the statutes of Maine. In their doings under section 7 of chapter 65 of the revised statutes, the ~~railroad com-~~

~~missioners~~ public utilities commission shall not be required to determine that public convenience requires the construction of such road, but the locations must be approved by ~~them~~ it, as by said section required, before said road is constructed.

In approving so much of said location as is upon private property or outside of the limits of streets, roads or ways, or any subsequent change thereof, the ~~railroad commissioners~~ public utilities commission shall not be required to find that it is impracticable to locate said railroad within the limits of streets, roads, or ways, but ~~they~~ it shall approve such location so upon private property, upon finding after notices and hearing, that the public service of said corporation would be thereby better performed, and upon such finding, the said ~~Quebec Extension Railway Company~~ Central Aroostook Railway Company shall have all the powers otherwise given by the general laws of the state, necessary to take, hold and pay for so much of its location as the ~~railroad commissioners~~ public utilities commission may so approve.'

Sec. 3. P. & S. L., 1913, c. 41, § 7, amended. Section 7 of chapter 41 of the private and special laws of 1913 is hereby amended to read as follows:

'Sec. 7. Further powers. Said ~~Quebec Extension Railway Company~~ Central Aroostook Railway Company is authorized to carry on the business of an express company and to maintain telephone and telegraph lines for its own use and for public use, along its location and to its various offices in towns, plantations and townships. The company is hereby authorized to carry on the business, not as a public utility but as an auxiliary service by the railway, of the sale of any surplus electric power available along the transmission wires used for the general operation of the railway, which surplus power from time to time shall not be required for the safe, efficient and practical operation of the railway under the direction of the public utilities commission, and any such surplus electric power shall be summarily withdrawn from any sale at the command of the railway company, whenever required by the public utilities commission, to maintain the operation of railway service under any and all conditions.'

Sec. 4. P. & S. L., 1913, c. 41, § 10, amended. Section 10 of chapter 41 of the private and special laws of 1913 is hereby amended to read as follows:

'Sec. 10. Capital stock. The capital stock of said ~~Quebec Extension Railway Company~~ Central Aroostook Railway Company shall be fixed at the 1st meeting of said corporation, with the right to increase the same up to \$4,000,000, and shall be divided into shares of \$100 each. Provided further that the common capital stock of the railway company may be di-

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vided into shares of such other par value as shall be determined, from time to time by the board of directors, the stockholders having given the directors full power of discretion and issuance, through amendment of the by-laws of the railway company, and said board of directors is hereby authorized to issue such common capital stock, upon such conditions, at such times and to such amounts, as said board of directors shall deem expedient, but they shall, at no time, issue common capital stock to exceed a common share capital aggregate amount of \$4,000,000.

The railway company is hereby authorized, from time to time, to issue its preferred stock of such par value, and upon such rates, conditions, times and to such amounts as may be determined expedient by the board of directors, the stockholders having given the directors full power of discretion and issuance, through amendment of the by-laws of the railway company, for any purpose deemed necessary by said board of directors in the location, construction, completion, improvement, enlargement or operation of its railroad and appendages, or in the transaction of its business. But said board of directors shall at no time issue shares of preferred stock exceeding a preferred share capital aggregate amount of \$4,000,000.

The issuance of the common capital stock and/or the issuance of preferred stock by the board of directors of the railway company shall be subject to the approval in amounts and such other conditions of issuance, by the public utilities commission and/or the interstate commerce commission, or by any other regulatory body having proper jurisdiction as established by the general laws of the legislature of the state, or by the Congress of the United States.'

Approved February 25, 1937.

Chapter 12

AN ACT to Extend the Charter of the Quebec Extension Railway Company.

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

Sec. 1. Extension of charter of Quebec Extension Railway Company. The rights, powers and privileges of the Quebec Extension Railway Company, which were granted by chapter 41 of the private and special laws of 1913, and extended by chapter 56 of the private and special laws of 1915, and extended by chapter 15 of the private and special laws of 1917, and extended by chapter 6 of the private and special laws of 1919, and extended by chapter 12 of the private and special laws of 1921, and extended by chapter 20 of the private and special laws of 1923, and extended