

MAINE STATE LEGISLATURE

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FORTY-EIGHTH LEGISLATURE.

SENATE.

No. 59.

STATE OF MAINE.

The undersigned of the Committee on Railroads, Ways and Bridges, to whom was referred the petition of the Bangor, Oldtown and Milford Railroad Company asking for leave to extend their railroad, or a branch thereof, to tide waters of the Penobscot river and to connect with the railroad of the European and North American Railroad Company, have had the same under consideration, and ask leave to report a bill, which is herewith submitted, with a statement of facts.

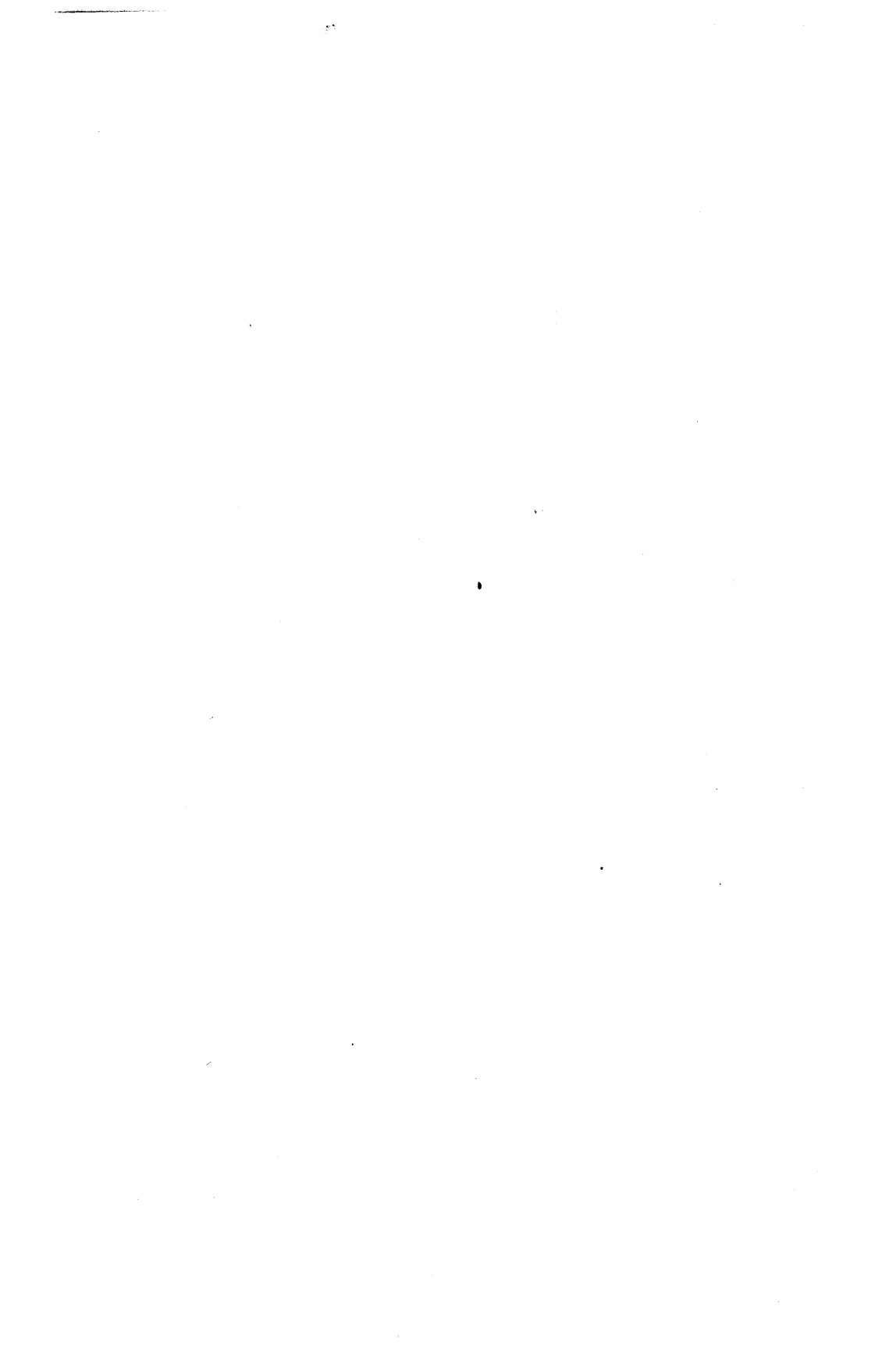
Per order,

J. P. MORSE.

IN SENATE, March 10, 1869.

Read and accepted, and on motion of Mr. STEVENS, laid on the table and ordered to be printed, with the statement of facts.

THOMAS P. CLEAVES, *Secretary.*



STATEMENT OF FACTS.

In the matter of the petition of the Bangor, Oldtown and Milford Railroad Company, for leave to extend their railroad or a branch thereof, to the tide waters of the Penobscot river, and to connect with the railroad of the European and North American Railway Company, &c., the following statement of facts are herewith submitted by the undersigned, a minority of the Committee to whom said petition was referred, viz :—After a full hearing of the petitioners and contestants by their witnesses and attorneys, said Committee visited the premises in question at Bangor and Oldtown, and made a due and satisfactory examination thereof. On their return to Augusta the 3d inst., they held a meeting of the Committee and considered the matter, and notified petitioners that while they should report adversely to their prayer for extending the Bangor, Oldtown and Milford Railroad or a branch thereof to the tide waters of the Penobscot river, they would report a bill providing for the connection of said Road with the European and North American Railroad, as prayed for, and as provided in Section 2 of an act entitled “an act to aid in the construction of the North American Railway,” approved March 3, 1868; and the Chairman requested the attorneys of petitioners and contestants to prepare and present bills therefor at a meeting of the committee, on the evening of 5th inst., which they did, and the same were considered, and the details elaborated in arguments by the attorneys of the parties. At the close of said meeting, it was officially and truly announced to petitioners, that the committee had voted to report a Bill providing for the connection of said Bangor, Oldtown and Milford Railroad, with the European and North American Railroad, by means of a third rail, to be laid by the European and North American Railway Company, upon and over their track with all necessary switches, frogs, &c., for the cars of the Bangor, Oldtown and Milford Railroad Company and at the expense of the latter, and also for the location of branch tracks in Oldtown to the

Veazie Mills, and to those in the village of Upper Stillwater, as prayed for by petitioners, and that the Chairman of the Committee would draft a bill therefor, and on the 9th inst. it was correctly announced to petitioners that the Committee had given them leave to withdraw. Had not the provisions of the bill presented by contestants' attorney at the meeting of the Committee on the 5th inst. been such as to ignore the views of a majority of said Committee in an important particular, and preclude the possibility of said petitioners deriving substantial benefit therefrom in the matter of the desired connection of the Bangor, Oldtown and Milford Railroad Company with said European and North American Railway, said bill would have been duly reported without delay to the Legislature by the Committee on the 6th inst.

No additional testimony, facts or arguments have been adduced by either party or their attorneys, to said Committee, since their meeting of the 5th inst.

The bill accompanying this statement and report in aid of so much of the prayer of the petitioners as was granted by a majority of said Committee, as hereinbefore detailed, is respectfully submitted.

J. P. MORSE.

Augusta, March 10, 1869.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
SIXTY-NINE.

AN ACT in addition to an act to incorporate the Bangor,
Oldtown and Milford Railroad.

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

SECTION 1. The Bangor, Oldtown and Milford Rail-
2 road Company are authorized to extend their railroad
3 or a branch thereof from some point in their present
4 location to Highborn hill, so called, on the Penobscot
5 river, or to any point north of said hill in the city of
6 Bangor, and to connect their road with the European
7 and North American Railroad, according to section
8 two of the act of March third, eighteen hundred sixty-
9 eight, entitled an act to aid in the construction of the
10 European and North American Railway, and said
11 European and North American Railway is hereby re-
12 quired to lay a third rail on its track in a proper man-
13 ner from the point of connection with its road of the
14 Bangor, Oldtown and Milford Railroad, to such point

15 in its track opposite the land of the heirs of the late
16 Samuel Veazie, or either of them in Bangor, near
17 Kenduskeag stream, as said last named corporation
18 may designate, and lay such necessary side tracks,
19 frogs, switches, &c., required for the cars of said
20 Bangor, Oldtown and Milford Railroad as may be
21 specified and directed by the railroad commissioners,
22 the expenses of which third rail, frogs, switches, &c.,
23 and the laying of the same, shall be paid by said Ban-
24 gor, Oldtown and Milford Railroad corporation, upon an
25 exhibit of the same with said commissioners' approval
26 endorsed thereon.

SECT. 2. Said Bangor, Oldtown and Milford Rail-
2 road Company are further authorized to locate and
3 construct such branch tracks from their present location
4 in Oldtown to the mills of the late Samuel Veazie,
5 and in Upper Stillwater village to the several saw
6 mills therein as they may think proper for the success-
7 ful working of their road.

SECT. 3. Said Bangor, Oldtown and Milford Rail-
2 road Company may lay such side tracks from the track
3 of the European and North American Railroad, upon
4 lands lying between the Kenduskeag stream and land
5 of the Bangor Bridge Company and others, and south
6 of said European and North American Railroad loca-
7 tion, as may be necessary for the cars of said

8 Bangor, Oldtown and Milford Railroad Company, and
9 all needed frogs, switches, &c., and erect such freight
10 sheds, car houses and other structures on the same as
11 may be necessary.

SECT. 4. All matters of detail necessary for carry-
2 ing out the objects of this act, not heretofore provided
3 for, are hereby especially placed within the jurisdic-
4 tion of the railroad commissioners.