

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Sixty-Fourth Legislature.

HOUSE.

No. 228.

STATE OF MAINE.

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

AN ACT to incorporate the Quebec and Maine Rail-
way Company.

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

SECTION 1. Arthur Sewall, Frank Jones, Payson
2 Tucker, Edward Dent, Robert N. Hall, William
3 G. Davis, Francis W. Hill, F. Langeeier, Frank
4 Grundy, Owen Murphy, Franklin A. Wilson,
5 Darius Alden, John Ayer, John Ware, Thomas
6 W. Hyde, Reuben B. Dunn, and Edmund F. Webb,
7 their associates, successors and assigns, are hereby
8 created and constituted a body corporate by the
9 name of the Quebec and Maine Railway Company,
10 with all the powers, franchises, rights and privi-
11 leges, and subject to all the duties, obligations and

12 restrictions conferred and imposed upon railroad
13 corporations by the laws of this State.

SECT. 2. The officers of said corporation shall
2 be a president, secretary, treasurer, board of direc-
3 tors, and such others as may be provided in the
4 by-laws, rules and regulations of the corporation
5 not repugnant to the laws of this State.

SECT. 3. The capital stock of said corporation
2 shall consist of not less than twenty-five hundred
3 shares of the par value of one hundred dollars each,
4 but the number of such shares may be from time to
5 time increased at the discretion of the stockholders,
6 to an amount not exceeding twenty-five thousand
7 shares.

SECT. 4. Said corporation is authorized to make
2 surveys, to locate, construct, equip, maintain and
3 operate a railroad of the standard gauge, with one
4 or more tracks or sets of rails, with all suitable
5 bridges, tunnels, viaducts, culverts, trains, turn-
6 outs, and all other necessary appendages from some
7 point on the boundary line between the State and
8 the Province of Quebec in the town of Sandy Bay,
9 where it may connect with the Quebec Central
10 Railway, or any other railway which may be con-
11 structed, in a southerly or southeasterly direction,
12 by the most feasible route, intersecting with and

13 crossing the railway of the International Railway
14 Company of Maine, and extending to a point at or
15 near the Forks of the Kennebec River, where the
16 best and most practicable connection can be made
17 with any railroad which, may be constructed north-
18 erly to such point.

SECT. 5. Said corporation is hereby invested with
2 all the powers, privileges and immunities, which
3 may be necessary to carry into effect the object
4 and purposes of this act, and to this end it shall
5 have the right to take or to purchase and hold or
6 assign and convey the same, so much of the land
7 and other real estate of private persons or corpo-
8 rations as may be found necessary or convenient
9 for the location, construction and convenient oper-
10 ation of said railway; and also have the right to
11 take, remove and use, for the construction and also
12 for the repair of said railway and its appurte-
13 nances, any earth, gravel, stone, timber, or other
14 materials on or from the land so taken; *provided,*
15 *however,* the land so taken shall not exceed six rods
16 in width, except where greater width is necessary
17 for the purpose of excavation or embankment; and
18 provided also, in all cases said corporation shall
19 pay for such lands, estate or materials such price
20 as it and the owner or owners thereof may mutu-

21 ally agree upon; and in case said parties shall not
22 agree as to the price to be paid, then said corpo-
23 ration shall pay, in any given case, such damages
24 as shall be ascertained and determined in accord-
25 ance with the provisions of so much of chapter
26 fifty-one of the Revised Statutes of the State as
27 relate to the estimation and payment of damages,
28 and amendments thereof.

SECT. 6. Said corporation shall have power to
2 make, order and establish all necessary by-laws
3 and regulations consistent with the constitution and
4 laws of this State, for its own government and for
5 the due and orderly conducting of its affairs and
6 management of its property; and it is also hereby
7 authorized and empowered to make connection with
8 any other railroad corporation, to lease or sell its
9 line of railway and property, either before or after
10 its completion, to any other railroad company,
11 either domestic or foreign, to take a lease of or
12 buy any other connecting line of railroad and
13 property, whether domestic or foreign, either before
14 or after its completion, and to amalgamate its stock
15 with the stock of any connecting railroad company,
16 whether domestic or foreign, in order to form with
17 such railroad company a single corporation, upon
18 such terms as may be mutually agreed upon, which

19 lease, sale, purchase or amalgamation shall be
20 binding upon the parties according to the terms
21 thereof, only when ratified by a majority vote of
22 the stockholders in said corporation present, if a
23 quorum, at any annual meeting or other meeting
24 legally called for the purpose.

SECT. 7. For the purpose of raising means and
2 funds to accomplish the objects and purposes of
3 this act, said corporation is hereby authorized to
4 make and issue its bonds, in such form and manner,
5 and payable at such times as the directors may,
6 under the circumstances, deem advisable, and it
7 may secure the principal and interest of said bonds
8 by a mortgage of its railway and all its lands, prop-
9 erty, rights, privileges and franchises then held,
10 possessed or owned, or thereafter acquired by said
11 corporation, made to such persons as trustees and
12 in such form and manner as the directors may
13 appoint and prescribe, provided only that the
14 making and issuing of such bonds and the securing
15 of the same by such mortgage shall first be author-
16 ized by a majority vote of the stockholders in said
17 corporation present, if a quorum, at any annual
18 meeting or other meeting legally called for the
19 purpose.

SECT. 8. Said corporation is hereby authorized
2 to guarantee payment of the principal and interest
3 specified in the bonds of any other railroad com-
4 pany with which it may be amalgamated, or the
5 railroad of which it may acquire by purchase or
6 lease, provided only that any such guarantee shall
7 first be authorized by a majority vote of the stock-
8 holders in said corporation present, if a quorum, at
9 any annual meeting or other meeting legally called
10 for the purpose.

SECT. 9. The said corporation shall not locate its
2 railway until twenty-five hundred shares of the
3 capital stock required by section three have been
4 subscribed for in good faith by responsible parties
5 and five per cent paid thereon in cash, to the direc-
6 tors of said corporation, and an affidavit made by a
7 majority of said directors and recorded in the office
8 of the Secretary of State that said twenty-five hun-
9 dred shares of capital stock have been in good
10 faith subscribed for and five per cent paid thereon
11 as aforesaid, and that it is intended in good faith
12 to construct, maintain and operate the said railway.
13 The Secretary of State shall record the said affida-
14 vit upon payment of five dollars.

SECT. 10. If the said corporation shall fail to
2 construct the railway authorized by this act on or

3 before the first day of July, in the year of our Lord
4 one thousand eight hundred and ninety-one, this
5 act shall be null and void so far as it relates to any
6 part of said line or railway then not constructed;
7 and no part of the railway authorized by this act
8 shall be operated for the carriage of freight or
9 passengers until that part of said railway between
10 the railway of the International Railway Company
11 of Maine and the terminus at or near the "Forks",
12 shall be completed and ready for operation.

SECT. 11. This charter is granted because the
2 objects sought to be accomplished cannot be fully
3 attained and accomplished under the general laws
4 for the formation of railroad companies.

SECT. 12. This act shall take effect when ap-
2 proved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 21, 1889. }

Tabled pending third reading, and ordered printed on motion of Mr.
SPOFFORD of Bucksport.

NICHOLAS FESSENDEN, Clerk.