

MAINE STATE LEGISLATURE

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Sixty-Fifth Legislature.

HOUSE.

No. 53.

STATE OF MAINE.

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

An Act to incorporate the Kennebec and Franklin Railway.

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

SECTION 1. A. M. Spear, E. C. Allen, Weston Lewis,
2 P. O. Vickery, William W. Bradstreet, M. V. B. Chase,
3 P. H. Holmes, J. Manchester Haynes, J. S. Maxcy, J.
4 W. Lash, Geo. E. Macomber, F. E. Timberlake, Jos. C.
5 Holman, Elliott Wood, H. F. Shaw, H. M. Heath, said
6 A. M. Spear, Weston Lewis, Wm. W. Bradstreet, P. H.
7 Holmes, J. S. Maxcy and J. W. Lash being residents of
8 said Gardiner, and said E. C. Allen, P. O. Vickery, M.
9 V. B. Chase, J. Manchester Haynes, Geo. E. Macomber,
10 and H. M. Heath being residents of said Augusta, their
11 associates, successors and assigns, are hereby made and

12 constituted a body politic and corporate by the name of
13 the Kennebec and Franklin Railway; and the said corpo-
14 ration is hereby authorized to locate, construct, equip and
15 operate a railroad from some point in Farmington through
16 the towns of Chesterville, New Sharon, Vienna, Mount
17 Vernon, Wayne, Fayette, Readfield, Winthrop, Mon-
18 mouth, Manchester, West Gardiner, Litchfield, Farming-
19 dale, and the city of Hallowell, or such of them as said
20 corporation may deem advisable, to and into the cities of
21 Augusta and Gardiner, and said corporation shall have all
22 the powers, privileges and immunities, and be subject to
23 all the duties and liabilities provided by the statutes of
24 this State respecting railroads.

SECT. 2. The capital stock of said corporation shall
2 consist of not more than six thousand shares of one hun-
3 dred dollars each; and the immediate government and
4 direction of the affairs of said corporation shall be vested
5 in not less than five nor more than nine directors, who
6 shall be chosen by the members of said corporation in the
7 manner hereinafter provided, and shall hold their offices
8 until others shall have been duly elected and qualified in
9 their stead, and a majority of them shall constitute a quo-
10 rum; and they shall elect one of their number to be
11 president of the board, and he shall also be president of
12 the corporation; and the directors shall have authority to
13 choose a clerk, who shall be sworn to the faithful dis-
14 charge of his duties, and a treasurer, who shall be sworn
15 and also give bond to the corporation, with sureties to
16 the satisfaction of the directors, in a sum of not less than
17 twenty thousand dollars for the faithful discharge of his
18 trust.

SECT. 3. A toll is hereby granted, for the benefit of
2 said corporation, upon all passengers and property which
3 may be conveyed or transported on or over its railroad, at
4 such rate as may be established by its directors, subject to
5 such general laws in relation to railroad companies as are,
6 or may, from time to time be established by the legislature.

SECT. 4. The corporation is hereby authorized to make
2 connections with any other railroad or railroads, on such
3 terms as may be mutually agreed upon, and to lease its
4 road and property either before or after it shall have been
5 completed, on such terms as it may determine, subject in
6 all cases to the approval of the stockholders in each cor-
7 poration.

SECT. 5. If the said corporation is not organized, and
2 the location of its route according to actual survey is not
3 filed with the county commissioners of the counties in
4 which the same shall be located, on or before the thirty-
5 first day of December, in the year of our Lord one thou-
6 sand eight hundred and ninety-four; or if it shall fail to
7 complete its road on or before the thirty-first day of
8 December, in the year of our Lord one thousand eight
9 hundred and ninety-five, then, in either of the above
10 mentioned cases, this act shall be null and void as to all
11 that part of said railroad not completed and finished on or
12 before the date last above mentioned.

SECT. 6. Said corporation is authorized to issue its
2 bonds from time to time to such amount as may be required
3 for the purposes authorized by this act, in such form as
4 the directors may deem advisable, and to secure the same
5 by mortgages of its road, franchise and property, or in any
6 other manner.

SECT. 7. The said railroad shall have suitable and convenient termini both in Gardiner and in Augusta, and shall at all times furnish equal facilities for freight and passengers destined to or from either of said cities. All freight and passenger rates, whether in whole or in part over said railroad, shall at all times be the same, whether to or from either of said cities, without discrimination, preference or rebate, direct or indirect, in favor of either against the other.

SECT. 8. The said corporation is authorized to purchase or lease the property and franchises of any railroad corporation in this State, of the same gauge, or to purchase and hold the stock or bonds of any such corporation. And all such corporations are hereby authorized to make such sales or leases. All leases, property, franchises, stocks and bonds, so acquired may be pledged or mortgaged under section six of this act.

SECT. 9. The said corporation is authorized to extend and construct its railroad into tide waters of the Kennebec river, and to build such wharves, piers and other structures as may be necessary for terminal facilities in such manner, however, as not to impair or interfere with public navigation thereof.

SECT. 10. The corporators named as residents of the city of Augusta, shall, within six months from the approval of this act, procure a *bona fide* subscription of forty thousand dollars to the capital stock of said corporation and the corporators named as residents of the city of Gardiner shall procure a like subscription of thirty thousand dollars to said capital stock. And the set of corporators failing to procure their proportion of the sub-

9 scription as aforesaid shall cease to have any authority to
10 act under this charter and the terminus of said road shall
11 not be required to be built to the city in which said delin-
12 quent corporators are residents, but the remaining cor-
13 porators herein named shall have full power after such
14 failure to proceed with the organization of said corpora-
15 tion in the same manner and with the same rights as if
16 named alone in this act.

SECT. 11. The first meeting of said corporation may
2 be called by any two corporators above named by notice
3 therefor in writing, a copy of which shall be given in hand
4 or mailed to each corporator at least seven days before the
5 time named therein for such meeting.

SECT. 12. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES. }
February 5, 1891. }

Tabled, pending acceptance of report, by Mr. AYER of Oakland, and
ordered printed.

W. S. COTTON, *Clerk.*