

MAINE STATE LEGISLATURE

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Sixty-Fifth Legislature.

HOUSE.

No. 186.

STATE OF MAINE.

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

AN ACT relating to the Sebacicook and Moosehead
Railroad Company.

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

SECTION 1. The Sebacicook and Moosehead Railroad
2 Company, a corporation organized under the laws of this
3 State, having already located, constructed and now operat-
4 ing its railroad from Pittsfield, Maine, to Hartland,
5 Maine, is authorized to make surveys, to locate, con-
6 struct, equip, maintain, and operate a railroad of the
7 standard guage with one or more tracks, or sets of rails,
8 with all suitable bridges, viaducts, culverts, trains, turn-
9 outs, and all other necessary appendages, from the pres-

10 ent terminus of its present road at Hartland, Maine, by
11 a feasible route to some point or place at or near Athens
12 village in Athens, Maine, and not north or west of said
13 village, passing through the towns of Hartland, Athens,
14 Harmony, or any, either or all of said towns, in the
15 county of Somerset, Maine.

SECT. 2. Said corporation is hereby invested with
2 all the powers, privileges and immunities, which may be
3 necessary to carry into effect the object and purposes of
4 this act, and to this end it shall have the right to take or to
5 purchase and hold or assign and convey the same, so much
6 of the land and other real estate of private persons or
7 corporations as may be found necessary or convenient for
8 the location, construction and convenient operation of
9 said railway; and also have the right to take, remove and
10 use, for the construction and also for the repair of said
11 railway and its appurtenances, any earth, gravel, stone,
12 timber or other materials on or from the land so taken;
13 provided, however, the land so taken shall not exceed six
14 six rods in width, except where greater width is neces-
15 sary for the purpose of excavation or embankment; and
16 provided, also, in all cases said corporation shall pay for
17 such lands, estate or materials such price as it and the
18 owner or owners thereof may mutually agree upon; and
19 in case said parties shall not agree as to the price to be
20 paid, and then said corporation shall pay, in any given
21 case, such damages as shall be ascertained and determined
22 in accordance with the provisions of so much of chapter
23 fifty-one of the Revised Statutes of the State, as relate to
24 the estimation and payment of damages and amendments
25 thereof.

SECT. 3. Said corporation shall have power to make, 2 order and establish all necessary by-laws and regulations 3 consistent with the constitution and laws of this State, for 4 its own government and for the due and orderly conduct- 5 ing of its affairs and management of its property; and it 6 is also hereby authorized and empowered to make con- 7 nection with any other railroad corporation, to lease or 8 sell its line of railway and property, either before or after 9 its completion, to any other railroad company, either 10 domestic or foreign, to take a lease of or buy any other 11 connecting line of railroad and property, whether domes- 12 tic or foreign, either before or after its completion, and to 13 amalgamate its stock with the stock of any connecting 14 railroad company, whether domestic or foreign, either 15 before or after its completion, and to amalgamate its stock 16 with the stock of any connecting railroad company, 17 whether domestic or foreign, in order to form with such 18 railroad company a single corporation, upon such terms 19 as may be mutually agreed upon, which lease, sale, pur- 20 chase or amalgamation shall be binding upon the parties 21 according to the terms thereof, only when ratified by a 22 vote of the stockholders in said corporation present, if a 23 quorum, at any annual meeting or other meeting legally 24 called for the purpose.

SECT. 4. Said corporation is hereby authorized to own, 2 construct, maintain and operate a line or lines of telegraph 3 and telephone from the town of Pittsfield through Palmyra, 4 Hartland, Athens and Harmony, or any, either or all of 5 said towns, all in the county of Somerset, Maine, upon 6 and along its line of railroad constructed and to be con- 7 structed, upon and along any public highway, railroad,

8 bridge or private lands, and subject to the provisions of
9 chapter three hundred and seventy-eight of the public
10 laws of eighteen hundred and eighty-five, but in such
11 manner as not to incommode or endanger the customary
12 public use thereof, with the right to cut down trees and
13 remove obstacles, when necessary, within the limits afore-
14 said, except ornamental, fruit or shade trees, and with the
15 power to establish and collect tolls on said line or lines.

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

SECT. 6. Said corporation is hereby authorized and
2 empowered to connect its line or lines with those of any
3 other telegraph or telepone company or corporation, or to
4 sell or lease its line or lines of telegraph and property
5 and telephone and property, either before or after com-
6 pletion, to any other telegraph or telephone company or
7 corporation, upon such terms as may be mutually agreed
8 upon, which sale or lease shall be binding upon the parties ;
9 or may purchase or lease any other line or lines of tele-
10 graph or telephone upon such terms and conditions as may
11 be mutually agreed upon.

SECT. 7. For the purpose of raising means and funds
2 to accomplish the objects and purposes of this act, and
3 for the payment of its debts and liabilities, for the satis-
4 faction of all claims and rights arising from any of its
5 former liabilities and judgments heretofore obtained
6 against it, for the further extension, construction, equip-
7 ment and improvements of its present road, and of its

8 proposed extension as in this chapter provided, both as
9 to its road and line of telegraph and telephone said cor-
10 poration is hereby authorized to make and issue its bonds
11 in such form and manner, and payable at such times as
12 the directors may, under the circumstances, deem advis-
13 able, and it may secure the principal and interest of said
14 bonds by a mortgage of its railway and all its lands,
15 property, rights, privileges and franchises then held,
16 possessed or owned, or thereafter acquired by said corpo-
17 ration, made to such persons as trustees and in such form
18 and manner as the directors may appoint, determine and
19 prescribe.

The amount of bonds to be thus issued to be determined
21 at an annual meeting of the corporation, or a special
22 meeting called for that purpose.

SECT. 8. The capital stock of said corporation may,
2 by vote of its stockholders, be increased from time to time
3 to not exceeding two thousand shares of par value of fifty
4 dollars each, and may issue its scrip, bonds or other nego-
5 tiable promises to aid the purposes of its incorporation,
6 and may secure the same, or any part thereof, by mort-
7 gage of its property or franchise.

The time for completing its railroad to Athens, Maine,
9 shall be to March nineteenth, Anno Domini eighteen hun-
10 dred and ninety-five.

SECT. 9. This charter is granted because the objects
2 sought to be accomplished cannot be fully attained and
3 accomplished under the general laws for the formation of
4 railroad companies.

SECT. 10. A toll is hereby granted for the benefit of
2 said corporation, upon all passengers and property which

3 may be transported on or over its rails, at such rates as
4 shall be established by the directors, subject to all laws
5 which are or may be hereafter in force in the State. And
6 also tolls for any and all messages sent over its telegraph
7 and telephone wires, to be fixed by its directors.

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

*To the Honorable Senate and House of Representatives in
Legislature assembled :*

Your petitioner with due respect asks your honorable bodies to grant your petitioner certain rights, powers and privileges as are set forth in the act hereto attached which is made a part of this petition.

SEBASTICOOK AND MOOSEHEAD R. R. CORPORATION,
by its Solicitor,

JAMES S. BRADBURY.

January 1, 1891.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES. }
February 28, 1891. }

Tabled pending first reading, by Mr. HILL of Augusta, and ordered
printed.

W. S. COTTON. *Clerk.*