

# MAINE STATE LEGISLATURE

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# Sixty-Fifth Legislature.

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HOUSE.

No. 203.

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## STATE OF MAINE.

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

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AN ACT entitled an act to enable the county of Washington  
to aid in the construction of the Maine Shore Line Rail-  
road.

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

SECTION 1. The county of Washington is hereby  
2 authorized to lend its credit for the purpose of aiding the  
3 construction of the Maine Shore Line Railroad to the  
4 extent of a sum not exceeding \$650,000, upon the terms  
5 and conditions as hereinafter provided.

SECT. 2. The said county of Washington is hereby  
2 authorized to guarantee the interest upon \$650,000 of the  
3 first mortgage bonds of the Maine Shore Line Railroad

4 Company, any time prior to January first, A. D. 1895,  
5 said first mortgage bonds to run thirty years, bearing five  
6 per cent interest, payable semi-annually, provided how-  
7 ever that the said railroad company shall not issue more  
8 than \$18,000 of bonds per mile for the purpose of con-  
9 structing and equipping its road. No bond shall be issued  
10 as hereinafter provided until the entire line shall be under  
11 contract and a guarantee is given to the county commis-  
12 sioners and treasurer of Washington county satis-  
13 factory to the said commissioners and treasurer and  
14 clerk of court of said Washington county, or a majority  
15 thereof that the line shall be completed under the  
16 contract for such construction. The bonds of said  
17 railroad company when issued to be placed in the hands  
18 of a first-class trust company satisfactory to the treasurer  
19 of said county, which trust company shall act as trustee  
20 for the bonds.

SECT. 3. On or before the first day of May, 1891, the  
2 county commissioners shall issue warrants, to aldermen  
3 of cities, the selectmen of towns, and the assessors of  
4 plantations, commanding them to warn and notify the  
5 voters of their respective cities, towns and plantations to  
6 meet upon a day named in the warrant of said county  
7 commissioners, at the places and in the manner provided  
8 by law, for holding city, town and plantation meetings, and  
9 to then and there give in their votes upon the following  
10 question.

Shall the county commissioners and county treasurer  
12 execute and deliver to the Maine Shore Line Railroad  
13 Company the agreement of the county of Washington to  
14 guarantee the interest upon the first mortgage bonds of said

15 company, to the amount of \$650,000, and the county  
16 commissioners thereafter guarantees such interest on the  
17 bonds in behalf of the said county of Washington, any  
18 time before January first, 1895, the entire first mortgage  
19 bonds not to exceed \$2,000,000 or \$18,000 per mile; the  
20 bonds not to run more than thirty years and the rate of  
21 interest not to exceed five per cent per annum payable  
22 semi-annually, subject to the provisions of the act of the  
23 legislature authorizing the same? Which also remains in  
24 force until January first, A. D. 1895.

The lists prepared for annual town meetings in 1891  
26 shall be used at such meeting and the same proceedings  
27 to be had as is provided for such city, town, or plantation  
28 meetings, and they shall be warned, notified and held in  
29 the same manner as other city, town and plantation  
30 meetings, said lists may be revised as lists for annual  
31 town meetings are revised as provided in the statutes of  
32 this State. At said meetings the legal voters shall vote  
33 by ballot on said question, those in favor of the same  
34 expressing it by the word "yes" upon their ballot, and  
35 those opposed thereto, expressing it by the word "no,"  
36 upon their ballot. The ballots shall then be received,  
37 counted and declared in city, town or plantation meetings,  
38 and lists of the votes so received shall be made and  
39 returned to the clerk of the county commissioners at  
40 Machias, in said county, the same as in State elections,  
41 the county commissioners shall count the same, declare  
42 and record the result. If a majority of all the votes cast  
43 are in the affirmative, then the county commissioners and  
44 county treasurer of said Washington county shall have  
45 full authority, and shall within thirty days thereafter, in

46 the name of said county, and in its behalf, execute and  
47 deliver to said company the agreement of said county to  
48 guarantee the interest upon the first mortgage bonds of  
49 said company, as is authorized by said vote, and herein  
50 provided by this act.

SECT. 4. The manner of delivering the said bonds to  
2 the railroad company, bearing the guarantee of said county  
3 of Washington to be as follows: When the work is com-  
4 menced, monthly estimates shall be made by the engineers  
5 in charge of the same as the work progresses, and he shall  
6 issue his certificate showing the pro rata work done upon  
7 the road up to that date, which certificate shall be  
8 approved by the county commissioners and county treas-  
9 urer or a competent railroad civil engineer appointed by  
10 the county commissioners and county treasurer. If  
11 these two engineers cannot agree as to the amount  
12 of the certificate, a third man, a competent rail-  
13 road civil engineer, who shall be agreed upon by the  
14 county commissioners and county treasurer and the rail-  
15 road company shall be chosen, and the decision made and  
16 the certificate signed by any two of the three engineers  
17 aforesaid, shall be acted upon and considered an order  
18 upon the trustee for the delivery to the railroad company  
19 of the amount of its bonds named in said certificate, and  
20 said trustees shall deliver to the company or its order  
21 stamped with the said guarantee of the county commis-  
22 sioners and county treasurer one-third of the number of  
23 bonds named in such certificate not exceeding in all said  
24 \$650,000, and the other two-thirds of said certificate shall  
25 be paid in the other bonds of said railroad company men-

26 tioned in this act. The compensation of said engineers  
27 shall be paid by the railroad company.

SECT. 5. The net earnings of said road after paying  
2 for the operating expenses and repairs, shall be applied  
3 to the payment of the interest of the bonds first, to pay  
4 the interest upon the residue of the whole issue of bonds  
5 after deducting \$650,000 guaranteed by Washington  
6 county; and secondly, to the payment of the interest  
7 upon the \$650,000 so guaranteed. It being the intent  
8 and meaning of this act that the county of Washington  
9 shall guarantee, and pay the interest upon the \$650,000  
10 of bonds aforesaid, or any deficiency if any there be,  
11 after applying that portion of the net earnings of the road  
12 applicable to the payment of the interest upon the \$650,-  
13 000 aforesaid, as is provided for in the first part of this  
14 section.

SECT. 6. The issue of stock and bonds of said Maine  
2 Shore Line Railroad, upon that portion of its line between  
3 Hancock Junction, or the point of departure from the Bar  
4 Harbor Branch of the Maine Central Railroad, and East-  
5 port and Calais, shall not exceed \$18,000 of stock and  
6 \$18,000 of first mortgage bonds per mile.

SECT. 7. The amount annually paid by said county  
2 under the provisions of this act shall be assessed upon the  
3 several cities, towns and plantations, as an addition to the  
4 county tax, and collected as other county taxes. And the  
5 treasurer of Washington county is hereby authorized and  
6 empowered to make such temporary loans of money on  
7 the credit of the county as may be necessary to carry out  
8 the provisions of this act. And said treasurer shall on or  
9 before the date upon which the coupons of said bonds

10 become due semi-annually pay over to the trustee for the  
11 said bonds the interest due upon said \$650,000 or any  
12 deficiency that may exist after applying to such payment  
13 that portion of the net earnings applicable thereto as pro-  
14 vided in section five of this act. And the treasurer of  
15 said railroad company shall at least once each year make  
16 a statement to the said county treasurer showing the gross  
17 amount earned, and the amount of operating and all other  
18 expenses connected with the running of said road and a  
19 statement of the amount of money that he has deposited  
20 with said trustee applicable to the payment of the interest  
21 upon the bonds issued by said railroad company under  
22 this act.

SECT. 8. The deed of trust securing said bonds shall  
2 contain suitable clauses providing that all sums paid for  
3 interest by said county, shall be refunded to said county  
4 out of the net earnings, as fast as a surplus accrues from  
5 said earnings, after paying operating expenses, repairs,  
6 and the interest upon the whole issue of bonds; also pro-  
7 viding that in all legal or equitable proceedings under said  
8 trust deed, the rights of said county shall be as fully pro-  
9 tected as the holders and owners of the bonds of the road  
10 or coupons thereof.

SECT. 9. Any towns in said county of Washington that  
2 have heretofore voted aid for building the said Maine Shore  
3 Line Railroad, shall upon the acceptance of this act by the  
4 people and its execution in all its provisions by the said  
5 county, be released from all obligations on account of such  
6 votes or from any claims of said railroad company therefor.

SECT. 10. While said Washington county is liable under  
2 said guarantee, one of the board of directors of said rail-

3 road company shall be the county treasurer for the time  
4 being, in said Washington county, who shall be elected at  
5 the annual meeting of said railroad company, and the  
6 by-laws of said Maine Shore Line Railroad Company shall  
7 be amended to conform herewith before said county com-  
8 missioners and county treasurer shall execute said guarantee  
9 as hereinbefore provided.

SECT. 11. No lease of the Maine Shore Line Railroad  
2 Company shall be made to any person or corporation with-  
3 out provision being made for full protection and refunding  
4 to said county of Washington for all sums of money paid  
5 by them or for which they are liable under this act.

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



STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
March 5, 1891. }

Tabled, pending first reading, by Mr. STEARNS of Caribou, and  
ordered printed.

W. S. COTTON, *Clerk.*