

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE SESSION

A. D. 1891.



AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1892.

Sixty-Fifth Legislature.

SENATE.

No. 14.

STATE OF MAINE.

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

AN ACT to amend the charter of the Penobscot Central
Railroad Company.

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

SECTION 1. Section one of chapter one hundred and
2 twenty of the Special Laws of eighteen hundred and
3 seventy-two, as amended by chapter four hundred and six-
4 teen of the Special Laws of eighteen hundred and seventy-
5 four, and by chapter two hundred and twenty-three of
6 the Special Laws of eighteen hundred and eighty-seven,
7 is hereby amended by striking out all of section one, of
8 said chapter two hundred and twenty-three, after the word
9 "Bangor" in the nineteenth line of said section, and by
10 substituting therefor the following words: 'and from one
11 or more points at or near tide water in said Bangor,

12 thence running northerly, northeasterly and northwest-
13 erly through the towns of Bangor, Hermon and Glenburn,
14 or either of said towns of Hermon or Glenburn, Kendus-
15 keag, Corinth, Charleston, Bradford, Atkinson, Orne-
16 ville, and Milo, to Milo Junction, so as to connect with
17 the Katahdin Iron Works Railroad at said Junction,'
18 also by adding to said section the following words:
19 'and from thence through the towns of Milo and Medford,
20 to a connection with and a crossing of the Canadian Pacific
21 Railway, to the waters of Schoodie lake, and from some
22 point on the line of said Penobscot Central Railroad, by
23 the most feasible route through the towns of Sebec,
24 Williamsburg and Brownville, to a connection with said
25 Canadian Pacific Railway, with the right to cross and
26 connect with the Maine Central Railroad in Bangor, and
27 the Bangor and Pi-cataquis Railroad in Milo and Sebec;
28 and said corporation shall be, and hereby is invested with
29 all the powers, privileges and immunities, which are or
30 may be necessary to carry into effect the purposes of this
31 act; and shall have the right to purchase or to take and
32 hold so much of the land and real estate of private per-
33 sons and corporations as may be necessary for the location,
34 construction and convenient operation of said railroad;
35 and they shall also have the right to take, remove and
36 use, for the construction, and repair of said railroad and
37 appurtenances, any earth, gravel, stone, timber or other
38 material, on or from the land so taken.'

SECT. 2. Section two of chapter one hundred and
2 twenty of the Special Laws of eighteen hundred and
3 seventy-two is hereby amended by striking out of the
4 second line of said section the following words "two

5 thousand” and substituting in lieu thereof the words ‘five
6 hundred.’

SECT. 3. Section seven of said chapter one hundred and
2 twenty is hereby amended by striking out all of said sec-
3 tion after the word “proper” in the third line and by
4 substituting therefor the following words ‘and to sell and
5 convey its corporate rights, franchises and other property,
6 or lease its road, franchises and other property after the
7 filing of the location thereof and before or after it shall
8 have been completed to any other railroad company, on
9 such terms as its members shall determine; and the
10 Castine Railway and Navigation Company is hereby
11 authorized and empowered to purchase and to take the
12 conveyance of the said corporate rights and property, or
13 take a lease of said Penobscot Central Railroad on such
14 terms as the said two corporations may agree upon.’

SECT. 4. Section eight of chapter one hundred and
2 twenty of the Special Laws of eighteen hundred and
3 seventy-two is hereby amended by adding thereto the
4 following words ‘and said Castine Railway and Naviga-
5 tion Company, after it shall take a conveyance of the
6 corporate rights, franchises and other property, or a
7 lease of said Penobscot Central Railroad, is hereby
8 authorized and empowered in its own name to construct,
9 maintain and operate the same from a connection with its
10 own railway in the city of Bangor, and to issue its own
11 bonds and secure the same by a mortgage of its own rail-
12 road and of the Penobscot Central Railroad, their fran-
13 chises and property, or in any other manner.’

SECT. 5. Section nine of said chapter one hundred and
2 twenty, is hereby amended by striking out all of said sec-

3 tion after the word "Penobscot" in the third line, and by
4 substituting therefor the words 'and Piscataquis counties,
5 and the road completed on or before the thirty-first day of
6 December, eighteen hundred and ninety-four, this act shall
7 be void.'

SECT. 6. Chapter one hundred and twenty of the Special
2 Laws of eighteen hundred and seventy-two, is hereby
3 amended by substituting the following words for section
4 ten. 'All acts and parts of acts inconsistent with this act
5 are hereby repealed.'

SECT. 7. Chapter one hundred and twenty of the
2 Special Laws of eighteen hundred and seventy-two, is
3 hereby amended by substituting for the number of sec-
4 tion ten that of section eleven. So that said charter, as
5 amended, shall read as follows :

'Section 1. John Morrison, Charles P. Brown, J. C.
7 White, John B. Nichols, T. P. Batchelder, E. Flint, John
8 H. Ramsdell, D. F. Davis, L. A. Bowler, Thomas R.
9 Kingsbury, Lyndon Oak, George Clark, T. J. Peaks,
10 William Dunning, George F. Hill, Ira W. Davis, T.
11 McDonald, John H. Garvin, Jacob Eastman, Frank C.
12 Barker, John Brown, Elisha Pierce, Simon G. Jerrard,
13 their assigns, associates and successors, are hereby made
14 and constituted a body politic and corporate, by the name
15 of the Penobscot Central Railroad Company, and by that
16 name may sue and be sued, plead and be impleaded, and
17 shall enjoy all proper remedies at law and in equity, to
18 secure and protect them in the exercise of their rights
19 and privileges, and in the performance of their duties,
20 and said corporation is hereby authorized and empowered
21 to locate and construct, and finally alter and keep in

22 repair a railroad with one set or more of rails or tracks,
23 with all suitable bridges, tunnels, viaducts, turnouts, cul-
24 verts, drains and all other necessary appendages,
25 from the Maine Central Depot in Bangor and from
26 one or more points at or near tide water in said
27 Bangor, thence running northerly, northeasterly and
28 northwesterly, through the towns of Bangor, Hermon and
29 Glenburn, or either of said towns of Hermon or Glenburn,
30 Kenduskeag, Corinth, Charleston, Bradford, Atkinson,
31 Orneville and Milo, to Milo Junction, so as to connect
32 with the Katahdin Iron Works Railroad at said junction,
33 and from thence through the towns of Milo and Medford,
34 to a connection with and a crossing of the Canadian
35 Pacific Railway to the waters of Schoodic lake, and from
36 some point on the line of said Penobscot Central Railroad,
37 by the most feasible route through the towns of Sebec,
38 Williamsburg and Brownville, to a connection with said
39 Canadian Pacific Railway, with the right to cross and
40 connect with the Maine Central Railroad in Ban-
41 gor, and the Bangor and Piscataquis Railroad in
42 Milo and Sebec; and said corporation shall be and
43 hereby is invested with all the powers, privileges and
44 immunities which are or may be necessary to carry into
45 effect the purposes of this act, and shall have the right to
46 purchase or to take and hold, so much of the land and real
47 estate of private persons and corporations, as may be
48 necessary for the location, construction and convenient
49 operation of said railroad, and they shall also have the
50 right to take, remove and use for the construction and
51 repair of said railroad and appurtenances, any earth,

52 gravel, stone, timber or other material on or from the
53 land so taken.

‘Section 2. The capital stock of said company shall
55 consist of not less than five hundred and not more than
56 ten thousand shares of one hundred dollars each, and the
57 immediate direction of the affairs of said corporation
58 shall be vested in a board of directors to be chosen as
59 hereinafter provided, who shall hold their office until
60 others are chosen and qualified in their places, a majority
61 of whom shall constitute a quorum, and they shall elect
62 one of their number to be president of the board and
63 he shall also be president of the corporation, and they shall
64 have authority to choose a clerk and treasurer. The
65 persons named in section one are hereby authorized, at a
66 meeting holden for that purpose called by any five of the
67 corporators, by publishing a notice of the same, at least
68 seven days before the meeting in the Bangor Daily Whig
69 and Courier, to accept this act and organize said corpora-
70 tion.

‘Section 3. Said corporation shall have the power to
72 make, ordain and establish all necessary by-laws.

‘Section 4. The president and directors for the time
74 being, are authorized and empowered, by themselves or
75 their agents, to exercise all the powers herein granted for
76 the purpose of locating, constructing and completing said
77 railroad, and for the transportation of persons, goods and
78 property of all kinds and description, and all such powers
79 and authority, as may be necessary and proper to carry
80 into effect the objects of said corporation.

‘Section 5. A toll is hereby granted for the benefit of
82 said corporation, upon all passengers and property which

83 may be conveyed and transported, on or over its railroad,
84 at such rate as may be established by its directors, subject
85 to such laws in relation to railroad companies, as are or
86 may be from time to time established by the legislature.

‘Section 6. The annual meeting of the stockholders of
88 said corporation, shall be holden on such day as the
89 by-laws may determine, at which meeting the directors
90 shall be chosen by ballot.

‘Section 7. The corporation is hereby authorized to
92 make connections with any other railroad, on such terms
93 as its members may deem proper, and to sell and convey
94 its corporate rights, franchises and other property, or
95 lease its road franchises or other property, after the filing
96 of the location thereof, and before or after it shall have
97 been completed, to any other railroad company, on such
98 terms as its members shall determine; and the Castine
99 Railway and Navigation Company, is hereby authorized
100 and empowered to purchase and to take the conveyance
101 of the said corporate rights and property, or take a lease
102 of said Penobscot Central Railroad, on such terms as
103 the said two corporations may agree upon.

‘Section 8. Said corporation is authorized to issue its
105 bonds and to secure the same by a mortgage of its road,
106 franchises and property, or in any other manner, and said
107 Castine Railway and Navigation Company, after it shall
108 take a conveyance of the corporate rights, franchises and
109 other property, or a lease of said Penobscot Central Rail-
110 road, is hereby authorized and empowered, in its own
111 name, to construct, maintain and operate the same from a
112 connection with its own railway in the city of Bangor,
113 and to issue its own bonds and secure the same by a mort-

114 gage of its own railroad and of the Penobscot Central
115 Railroad, their franchises and property, or in any other
116 manner.

‘Section 9. If said corporation shall not have been organ-
118 ized and the location, according to actual survey of the
119 route, filed with the county commissioners of Penobscot
120 and Piscataquis counties, and the road completed on or
121 before the thirty-first day of December, eighteen hundred
122 and ninety-four, this act shall be void.

‘Section 10. All acts and parts of acts inconsistent with
124 this act are hereby repealed.

‘Section 11. This act shall take effect when approved.’

STATE OF MAINE.

BANGOR, January 22, 1891.

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

The Penobscot Central Railroad Company respectfully ask
for an amendment of their charter and present the accom-
panying bill.

Penobscot Central Railroad Company.

JOHN H. HIGGINS, *President.*

STATE OF MAINE.

IN SENATE, January 29, 1891.

On motion by Mr. THATCHER of Penobscot, laid on table to be printed, pending reference to the Committee on Railroads, Telegraphs and Expresses, in concurrence.

KENDALL M. DUNBAR, *Secretary.*