

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:
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1892.

Sixty-Fifth Legislature.

SENATE.

No. 50.

STATE OF MAINE.

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

AN ACT to revive and amend the charter of the Sebago
Lake and Mechanic Falls Railroad Company.

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

SECTION 1. John D. Spiller, B. M. Fernald, Frank
2 Storer, Henry J. Lane, Gideon Davis, L. M. Welch, C.
3 Eugene Wescott, S. D. Maguire, David Duran, M. F.
4 Winslow, Erastus A. Plummer, John McLellan, O. P.
5 Chaffin, M. L. Keys, G. O. Goodwin and J. A. Lane,
6 their associates, successors and assigns are hereby made
7 and constituted a body corporate and politic, by the name
8 of the Sebago Lake and Mechanic Falls Railroad Company
9 and by this name may sue and be sued, plead and be
10 impleaded, and shall have and enjoy all proper remedies

11 at law and in equity, to secure and protect them in the
12 exercises of the rights and privileges hereinafter granted,
13 and the said corporation is hereby authorized and empow-
14 ered to locate, construct and complete, alter and keep in
15 repair, a railroad with one or more tracks, with all suit-
16 able bridges, turn-outs, culverts, drains and all other
17 necessary appendages, from some point near the outlet of
18 Sebago lake, through the towns of Windham, Raymond,
19 Casco, Poland and Minot, to some point at or near
20 Mechanic Falls. And said corporation shall be and
21 hereby is invested with all the powers, privileges and
22 immunities which are or may be necessary to carry into
23 effect the objects and purposes of this act, and for this
24 purpose said corporation shall have the right to purchase
25 or to take and hold so much of the land and real estate of
26 private persons and corporations as may be necessary for
27 the location, construction and convenient operation of
28 said railroad, and they shall also have the right to take,
29 remove and use, for the construction and repair of said
30 railroad and appurtenances, any earth, gravel, stone,
31 timber or other material on or from the land so taken,
32 *provided*, that in all cases said corporation shall pay for
33 all lands, estates or materials so taken and used, such
34 price as they and the owners thereof may mutually agree
35 upon, and in case said parties shall not otherwise agree
36 the said corporations shall pay such damages as shall be
37 ascertained and determined by the county commissioners
38 of the several counties in which such lands or estates or
39 materials may be situated, in the same manner and under
40 the same conditions as are by law provided in the general
41 laws of the State regarding railroads, and the land so

42 taken by said corporation shall be held by it in like man-
43 ner as lands taken and appropriated for highways, and no
44 application to said county commissioners to estimate said
45 damages shall be sustained unless made within three years
46 from the time of taking such land or property, and in
47 case such railroad shall pass through any woodland or
48 forests, the said company shall have the right to fell or
49 remove any trees standing within four rods of said road
50 which by their liability to be blown down or natural fall-
51 ing might obstruct or impair said railroad, by paying a
52 just compensation therefor, to be recovered in the same
53 manner as provided for the recovery of other damages in
54 this act.

SECT. 2. The capital stock of said company shall be in
2 shares of one hundred dollars each, par value, and the
3 government and direction of the affairs of the company
4 shall be vested in not less than five nor more than nine
5 directors, who shall be chosen by the stockholders from
6 their number and who shall hold their office until others
7 have been chosen in their place, a majority of whom
8 shall form a quorum for the transaction of business and
9 they shall elect one of their number to be president, they
10 shall also choose a clerk of said corporation and a treas-
11 urer; for the purpose of receiving subscriptions to said
12 stock, books shall be opened by the directors at such times
13 and places as they may determine, any three of the per-
14 sons named in the first section of this act are hereby
15 authorized to call the first meeting of this company for
16 the choice of directors and organization, by giving per-
17 sonal notice in writing of the time, place and purposes of

18 such meeting at least seven days before the time men-
19 tioned in such notice.

SECT. 3. The president and directors for the time
2 being are hereby authorized and empowered, by them-
3 selves or their agents, to exercise all the powers herein
4 granted to the corporation for the purpose of locating, con-
5 structing and completing said railroad, and for the trans-
6 portation of persons, goods and property of all descrip-
7 tions, and all such powers and authority for the management
8 of the affairs of the corporation as may be necessary and
9 proper to carry into effect the object of the corporation.

SECT. 4. A toll is hereby granted and established for
2 the sole benefit of said corporation, on all passengers and
3 property of all descriptions, which may be conveyed or
4 transported by them upon said road, at such rates as may
5 be agreed upon and established from time to time by the
6 directors of said corporation and said corporation shall
7 have power to make, ordain and establish all the necessary
8 by-laws and regulations consistent with the constitution and
9 laws of this State, for their own government and for
10 the due and orderly conducting of their affairs and the
11 management of their property.

SECT. 5. For the purpose of raising means and funds to
2 accomplish the object and purpose of this act, said cor-
3 poration is hereby authorized to make, and issue its bonds
4 in such form and manner and payable at such time as the
5 directors may, under the circumstances deem advisable,
6 and it may secure the principal and interest of said bonds
7 by a mortgage of its railroad and all its lands, property,
8 rights, privileges and franchises then possessed, held or
9 owned, or hereafter acquired by said corporation made to

10 such persons or trustees and in such form and manner as
11 the directors may approve and prescribe. Said corpora-
12 tion is further authorized to lease its road, either before
13 or after it shall be completed, or to lease any other road
14 connecting with it on such time, terms and conditions as
15 the stockholders, at a meeting regularly called for that
16 purpose shall determine.

SECT. 6. The corporation shall be authorized to issue
2 non-preferred and preferred stock upon such terms and
3 conditions and to such persons and corporations and with
4 such limitations and restrictions as may be deemed most
5 for the interest of the subscribers, the success of the cor-
6 poration and the completion and equipment of the road
7 and any town in the counties of Cumberland and Andros-
8 coggin deeming themselves interested in having said rail-
9 road constructed or to be benefited thereby may subscribe
10 at par value for any amount of either class of said stock,
11 or loan their credit, or both, by a vote of two-thirds of the
12 legal voters of any such town present at any meeting
13 legally called therefor, not to exceed the percentage pre-
14 scribed by law of the valuation of such town and such
15 vote shall be obligatory on such town for the payment of
16 the amount so subscribed or loaned on such time or terms
17 as may be agreed upon by them and the company and all
18 stock so subscribed for by said towns shall be represented
19 in said corporation by the municipal authorities thereof
20 and any such town specified in this section may in such
21 vote designate on what part of said railroad line any
22 money so voted to be raised by such town shall be
23 expended and used, and said corporation shall expend and

24 use all such money in the manner designated by such vote
25 and in no other manner.

SECT. 7. If said corporation shall not have been organ-
2 ized and the location according to actual survey of the
3 route filed with the county commissioners of the counties
4 through which the railroad shall pass within five years, or
5 if said corporation shall fail to complete said railroad
6 within eight years, then in either of the above mentioned
7 cases this act shall be null and void as to that part of said
8 road not completed at the expiration of the time last
9 above mentioned.

SECT. 8. This act shall take effect when approved.



STATE OF MAINE.

IN SENATE, February 6, 1891.

Presented by Mr. MOORE of Cumberland, and on motion by same senator, laid on table to be printed, pending reference to Committee on Railroads, Telegraphs and Expresses.

KENDALL M. DUNBAR, *Secretary.*