

MAINE STATE LEGISLATURE

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Sixty-Eighth Legislature.

SENATE.

No. 100.

STATE OF MAINE.

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

AN ACT relating to the Organization of the Washington
County Railroad Company.

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

Section 1. The secretary of State is hereby authorized
2 and instructed to return to the Washington County Railroad
3 Company the sum of \$1,525 now held by him subject to the
4 order of the legislature and which was paid to him by said
5 company under protest to secure its certificate of organization.
6 The sum of one hundred dollars also paid by said company
7 shall be in full for all claims due the State from said Com-
8 pany, under the laws relating to corporations, and nothing
9 herein contained shall in any manner affect the validity of
10 its certificate of organization.

STATEMENT OF FACTS.

The Washington County Railroad Company was incorporated March 7, 1893. The law then required such corporations to pay \$100 to the secretary of State to entitle him to issue a certificate of organization.

March 15th, eight days after the charter was granted, an act was passed changing the fees to be paid by corporations so that this company under the new law would be required to pay \$1,625.

This company claimed that it should pay only the same as all other railroads in the State had paid which was the \$100 due under the law in force when its charter was granted. The secretary of State was in doubt as to the law and in order to get the certificate the company paid \$100 which it claimed was the sum legally due, and the directors deposited with the secretary the additional sum of \$1,525 under protest not to be paid into the treasury, but to be held by the secretary as a pledge that the sum should be forth coming if required by law or by the legislature. The money has never gone into the treasury but is held by the secretary of State as above stated.

The company asks its return on the ground that it should pay no more than was required by law when the charter was granted, that the new law would be retroactive and unjust if applied to charters granted before its passage and that the legislature never intended to impose this unusual burden upon this company because it had by legislation endeavored to aid the enterprise by exemption from taxation and in every possible way.

STATE OF MAINE.

IN SENATE, February 24, 1897.

Reported by Mr. McCULLOUGH, from Committee on Railroads,
Telegraphs and Expresses, and laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*