

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

HOUSE.

No. 134

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

AN ACT authorizing Washington county to sell its stock in the
Washington County Railroad Company, and authorizing the
sale or lease of said railroad.

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

Section 1. Whenever a proposition for the purchase of the
2 holdings of Washington county in the preferred stock of the
3 Washington County Railroad Company shall be made in
4 writing by the holders of the other shares of the stock of said
5 corporation to the county commissioners of said county, said
6 proposition stating in substance that upon a legal transfer of
7 such preferred stock to them, the said holders of the other
8 shares of the stock of said corporation will pay to said county
9 commissioners for the use of said county a certain definite

10 sum of money, or when such holders of the other shares of
11 the stock of said corporation shall make any other proposi-
12 tion for the purchase of said preferred stock or the exchange
13 thereof for other securities, if said commissioners shall
14 approve said proposition, they shall submit it to the deter-
15 mination of the legal voters of said county at such time as
16 they may designate, subject to the provisions of this act, and
17 thereupon there shall be submitted to the voters of the several
18 cities, towns and organized plantations in the county of
19 Washington the following proposition: "Shall the county
20 commissioners be empowered to dispose of the holdings of
21 the county in the preferred stock of the Washington County
22 Railroad Company in accordance with the written proposi-
23 tion made therefor?" and the warrants issued for calling
24 such meetings shall contain a copy of such written proposi-
25 tion, and it is hereby made the duty of the county commis-
26 sioners of said county to appoint a day for meetings to vote
27 thereon, and to notify the municipal officers of the cities,
28 towns and plantations thereof, leaving a sufficient time for
29 calling said meetings in the usual form for city or town
30 meetings.

Said commissioners shall cause to be prepared printed forms
32 for the warrants and returns of said meetings and transmit
33 them with their notifications to city, town and plantation
34 officers as above prescribed.

Sect. 2. The municipal officers of the cities, towns and
2 plantations in said county shall call meetings on the day
3 appointed by issuing and posting warrants therefor as for
4 municipal elections. No such meetings shall be opened
5 before ten o'clock in the forenoon nor later than one o'clock
6 in the afternoon and the polls shall be kept open until five
7 o'clock in the afternoon and then be closed.

Sect. 3. At said meetings the vote shall be taken by printed
2 or written ballots and those in favor of accepting said propo-

3 sition shall vote “yes” and those opposed to it “no” and the
4 ballots cast shall be sorted and counted and the vote declared
5 in open meeting and recorded. The meetings shall be pre-
6 sided over and conducted as at municipal elections and the
7 municipal officers shall make return thereof to the county
8 commissioners by depositing in some post office in said county
9 within twenty-four hours after the close of said polls their
10 return of the votes cast, postpaid, directed to the clerk of
11 courts at Machias in said county, to be transmitted by mail,
12 or personally delivered the same to said clerk of courts within
13 that time.

Sect. 4. The county commissioners shall meet at the court
2 house in said Machias within twenty days after said meeting,
3 canvass the returns and declare the result, and the result shall
4 then be recorded by the clerk of courts and be certified on
5 the record by said commissioners and said clerk, which record
6 shall be the only record required of the vote cast under this
7 act.

Sect. 5. If said commissioners, upon canvass of said
2 returns, shall declare that a majority of the ballots returned
3 at said meetings were in favor of the acceptance of said
4 proposition, then said commissioners are hereby authorized
5 and empowered and directed for and in behalf of said county
6 to sell upon such terms as shall be contained in said proposi-
7 tion the holdings of said county in the preferred stock of the
8 Washington County Railroad Company, and to that end said
9 commissioners are hereby authorized and empowered to
10 execute for and in behalf of said county all transfers of said
11 stock necessary to complete such sale and all written agree-
12 ments setting forth the terms of such contract for sale.

Sect. 6. Any and all transfers of stock made under the
2 provisions of this act shall be sufficient to transfer the title to
3 such stock to the purchaser or purchasers and any written
4 contract relating to the sale of said stock so executed shall be

5 binding upon the county, and the county commissioners shall
6 for and in behalf of said county do and perform all things to
7 be done and performed by said county as in said contract
8 provided.

Sect. 7. All the proceeds of such sale shall be held as a
2 separate fund by the county treasurer of said county and shall
3 not be expended or paid out except as herein provided. Such
4 proceeds shall be kept invested in such funds as are legal
5 investments for savings banks under the laws of this State,
6 and all such investments shall be made under the direction
7 of the county treasurer, the county attorney and the county
8 commissioners of said county. The principal of said fund
9 shall be applied to the payment and redemption of bonds
10 issued by said county for the purchase of said stock. The
11 interest of said fund shall be applied toward paying the
12 interest of said bonds each year if needed for that purpose.
13 When all of said bonds have been retired any of said fund
14 which then remains shall be turned into the county treasury
15 for the general purposes of said county.

Sect. 8. The words "county commissioners" in this act
2 shall be construed to mean the board of county commissioners
3 for the time being of Washington county and any action
4 taken hereunder may be by a majority thereof, the intention
5 being that at any time the county commissioners of said
6 county then in office are in accordance with this act fully
7 empowered to represent, act for and bind the county in rela-
8 tion to said stock as herein provided, and nothing in this act
9 shall be construed as taking away or in any manner impair-
10 ing the option and rights which the holders of the other
11 shares of stock in said Washington County Railroad Com-
12 pany now possess to purchase the holdings of said county in
13 said preferred stock.

Sect. 9. The Washington County Railroad Company is
2 hereby authorized to sell or lease its railroad, franchises and

3 all other assets of the company to any railroad company oper-
4 ating a railroad wholly or partly in this State, and any rail-
5 road company so operating a railroad in this State is author-
6 ized to acquire by lease or purchase the railroad, franchises
7 and all other assets of said Washington County Railroad
8 Company and to operate said railroad when acquired with all
9 the rights, franchises and privileges attached thereto.

Sect. 10. Any railroad company operating a railroad
2 wholly or partly in this State is authorized to purchase and
3 hold the whole or any number of the shares of the preferred
4 or common stock of the Washington County Railroad Com-
5 pany, and upon acquiring a majority of the shares of the
6 common stock of said corporation to guarantee the payment
7 of the whole or any part of the principal and interest of the
8 outstanding mortgage bonds of the Washington County Rail-
9 road Company or of any bonds hereafter issued by it.

Sect. 11. The directors of any railroad company holding
2 stock in the Washington County Railroad Company pur-
3 chased under the provisions of this act may designate the
4 person or persons who shall vote upon said stock so held
5 by it at any meeting of the stockholders of said Washington
6 County Railroad Company, and any stockholder or director
7 of the railroad company so holding stock in the Washington
8 County Railroad Company may be a director thereof.

Sect. 12. The Washington County Railroad Company for
2 the purposes hereafter named is hereby authorized to issue
3 its bonds in such amount and with such rate of interest that
4 the annual interest charge thereon shall not exceed the annual
5 interest charge upon the present outstanding mortgage bonds,
6 and to secure the same by a mortgage of its railroad, fran-
7 chises, property and privileges; provided said mortgage shall
8 be authorized by a majority vote of the holders of the com-
9 mon stock in said company at a legal meeting called therefor,

10 in the call for which the purposes of said meeting shall be
11 stated, and shall also be consented to in writing by the owner
12 or owners of all of the preferred stock in said company.
13 The proceeds of such last named mortgage bonds shall be
14 applied to the payment, redemption or purchase of said first
15 mortgage bonds, or to the purchase of the preferred stock,
16 which when purchased may be retired and cancelled. When
17 all of said bonds shall have been so paid, redeemed or pur-
18 chased and the first mortgage discharged, and the preferred
19 stock purchased and paid for so the county of Washington
20 is not a holder of said stock, any balance remaining may be
21 applied to the improvement or betterment of said road.

Sect. 13. Any bonds issued under this act shall be exempt
2 from taxation for the unexpired portion of the term of twenty
3 years mentioned in section three of chapter ninety of the
4 Private Laws of the year 1895 and in the contract made
5 thereunder in accordance with the terms of said section and
6 contract.

Sect. 14. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, February 17, 1903.

Tabled pending reference to Committee, by Mr. PIKE of Lubec, and ordered printed.

W. S. COTTON, *Clerk.*