

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventy-first Legislature.

HOUSE.

No. 204

STATE OF MAINE.

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

AN ACT to incorporate the Maine Midland Railroad Company.

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

Section 1. Edward P. Borden, of Philadelphia, in the state
2 of Pennsylvania, Thomas B. Wanamaker, of Philadelphia,
3 state of Pennsylvania, William P. Oglesby, of Philadelphia,
4 state of Pennsylvania, Charles Eisenlohr, of Philadelphia,
5 state of Pennsylvania, Arthur C. Denniston, of Philadelphia,
6 state of Pennsylvania, William D. Hewitt, of Burlington,
7 state of New Jersey, Leonard Atwood, of Farmington, in
8 the State of Maine, Edmond Eaton, of Livermore Falls, in the
9 State of Maine, Phillip H. Stubbs, of Strong, in the State
10 of Maine, their associates, successors and assigns, are hereby

11 made a corporation by the name of the Maine Midland Rail-
12 road Company, for the purpose of buying or leasing the
13 property, capital stock, rights, privileges, immunities and
14 franchises of the Wiscasset, Waterville & Farmington Rail-
15 road Company, and of thereafterwards exercising the powers
16 of this act.

Sect. 2. The capital stock of such corporation shall consist
2 of not more than twenty thousand shares, of the par value
3 of one hundred dollars each, the amount to be fixed from
4 time to time by the corporation. The immediate government
5 of its affairs shall be vested in a board of directors to consist
6 for one year from the time of the incorporation of said com-
7 pany of the corporators herein named and subsequently
8 thereto said directors shall be chosen in accordance with the
9 by-laws made and provided by said company, which by-laws,
10 not inconsistent with law, said corporation shall have the
11 power to make, ordain and publish.

Sect. 3. The said corporation is authorized to hold for its
2 purposes aforesaid so much real and personal estate as may
3 be necessary and convenient therefor.

Sect. 4. The said corporation is further authorized to pur-
2 chase or lease the property, capital stock, rights, privileges,
3 immunities and franchises of the Wiscasset, Waterville &
4 Farmington Railroad Company upon such terms as may be
5 agreed upon; and upon such purchase or lease, the said
6 Maine Midland Railroad Company shall have, hold, possess,
7 exercise and enjoy all the locations, powers, privileges, rights,
8 immunities, franchises, property and assets which at the time
9 of such transfer shall then be had, held, possessed or enjoyed
10 by the corporation so selling or leasing, and shall be subject
11 to all the duties, restrictions and liabilities which the said
12 Wiscasset, Waterville & Farmington Railroad Company shall
13 then be subject to by reason of any contract, charter, or gen-
14 eral or special law, or otherwise.

Sect. 5. The Wiscasset, Waterville & Farmington Railroad
2 Company is hereby authorized to sell or lease its property,
3 capital stock, rights, privileges, immunities and franchises
4 to the said Maine Midland Railroad Company, upon such
5 terms as may be mutually agreed upon, but any such sale or
6 lease shall be made subject to all the outstanding liabilities
7 of the said Wiscasset, Waterville & Farmington Railroad
8 Company. In case of such sale or lease the said Maine Mid-
9 land Railroad Company may mortgage the franchises and
10 property so acquired for the security of any bonds or other
11 indebtedness authorized by this act, but all such mortgages
12 shall be subject to the outstanding bonds or other indebted-
13 ness of the said Wiscasset, Waterville & Farmington Rail-
14 road Company existing at the time of said sale or lease.

Sect. 6. All proceedings, suits at law or in equity, which
2 may be pending at the time of such transfer, to which the
3 said Wiscasset, Waterville & Farmington Railroad Company
4 may be a party, may be prosecuted or defended by the said
5 Maine Midland Railroad Company in like manner and with
6 like effect as if such transfer had not been made. All claims,
7 contracts, rights and causes of action of or against said cor-
8 poration so selling or leasing, at law or in equity, may be
9 enforced by suit or action to be begun or prosecuted by or
10 against said Maine Midland Railroad Company.

Sect. 7. The said Maine Midland Railroad Company may
2 issue its stocks and bonds in payment and exchange for the
3 stocks, bonds, franchises and property of the Wiscasset,
4 Waterville & Farmington Railroad Company as authorized
5 by this act, in such manner and in such amounts as may be
6 agreed upon.

Sect. 8. When the transfer authorized by this act is carried
2 out and fully completed, the Maine Midland Railroad Com-
3 pany shall be liable for the then existing legal debts and

4 obligations of the Wiscasset, Waterville & Farmington Rail-
5 road Company.

Sect. 9. Upon and after completion of the aforesaid sale
2 or lease the said Maine Midland Railroad Company shall be
3 and hereby is authorized to locate, construct, equip, maintain
4 and operate a railroad commencing at some point near the
5 village of Farmington Falls, at or near the present track or
6 road bed of the Wiscasset, Waterville & Farmington Rail-
7 road Company near said village of Farmington Falls, thence
8 through the towns of Farmington, Chesterville, Fayette and
9 East Livermore, a distance of seventeen and a half miles, to
10 some point in the village of Livermore Falls to connect with
11 the Portland & Rumford Falls Railway, with all the powers
12 and subject to all the liabilities incident to a railroad corpo-
13 ration under the general laws of the State. Said location in
14 Livermore Falls village after crossing the Maine Central
15 Railroad and the manner and conditions of its connection
16 with the Portland and Rumford Falls Railway shall be under
17 the direction of and subject to the approval of the railroad
18 commissioners.

Sect. 10. The said corporation is further authorized to
2 carry on the business of an express company upon its own
3 lines, and also to maintain and operate telephone and tele-
4 graph lines for public use along its location and to its prin-
5 cipal offices, as the same may be located. It may also erect
6 and maintain hotels, cottages and pleasure grounds and own
7 and operate steamboats upon any lakes and ponds near its
8 location, but the right to take land or other property shall
9 not extend to property to be used for purposes authorized
10 by this section, and all such land or property so to be used
11 shall be acquired by purchase and in no other way.

Sect. 11. A toll is hereby granted for the benefit of said
2 corporation upon all passengers and property which may be
3 carried over its railroads or in any of its steamboats, and

4 upon all telegraph and telephone messages which may be
5 transmitted over its lines, at such rates as may be established
6 by its directors, subject to such general laws as are or may
7 be from time to time established.

Sect. 12. The said corporation is authorized to purchase
2 or lease the property and franchises of any connecting rail-
3 road corporation in the State, or to purchase and hold the
4 stock and bonds of any such corporation and all such con-
5 necting corporations, or any corporation, association or per-
6 son claiming rights under the stock, bonds, mortgages or
7 franchises of any such corporation are hereby authorized to
8 make such sales or leases, and all such property, franchises,
9 stocks and bonds so acquired may be pledged or mortgaged
10 to secure the bonds herein authorized. Said corporation is
11 hereby authorized to make connection with any other rail-
12 road or railroads on such terms as may be mutually agreed
13 upon and as may be provided by the general laws of the State,
14 and to lease its property and road either before or after it
15 shall have been completed upon such terms as it may deter-
16 mine, subject in all cases to the approval of a majority of the
17 outstanding stock in each corporation.

Sect. 13. Said corporation shall organize and the location
2 of its railroad according to actual survey shall be filed with
3 the county commissioners of Franklin county and of Andros-
4 coggin county on or before the first day of December, A. D.
5 nineteen hundred and three, and the said corporation shall
6 be and hereby is given until the thirty-first day of December,
7 A. D. nineteen hundred and five, within which to build and
8 operate its said railroad.

Sect. 14. The said company may receive from any town
2 or from any person or body corporate, municipal or politic,
3 aid towards the construction, equipment and maintenance of
4 the railway line or the objects contemplated by this act, by
5 the way of gifts, subsidies or bonuses in land, money or

6 securities, or by loans or by the way of guaranty, or by pro-
7 viding rights of way for such lines or any part thereof or
8 objects free of expense to the company, upon such terms or
9 conditions as may be agreed upon.

Sect. 15. The directors may make and issue as paid-up
2 stock shares in the company, and may allot and hand over
3 such shares, and also mortgage bonds of the company, in
4 payment of right of way, plant, rolling stock or materials of
5 any kind, and also for services of, or work done, by con-
6 tractors, engineers, solicitors or other persons who may have
7 been, are, or may be engaged in promoting the undertaking
8 and interests of the company, and in whole or partial payment
9 for the purchase, lease or other acquisition of railways, lands
10 and other property; and such allotments of stock or bonds
11 shall be binding on the company, and the paid-up stock shall
12 not be assessable thereafter for calls or other purposes.

Sect. 16. The said corporation may issue its bonds from
2 time to time upon such rates and times as may be deemed
3 expedient, and in such amounts as may be required for the
4 purposes of this act, and secure the same by appropriate
5 mortgages upon its franchises and property.

Sect. 17. The first meeting of said corporation may be
2 called by any two corporators within named by notice thereof
3 in writing signed by said two corporators, and given in hand
4 or mailed to each of the other corporators at least ten days
5 before said meeting, and any corporator may act at such
6 meeting by written proxy.

Sect. 18. Nothing in this act shall be construed as affect-
2 ing the rights as now provided by law of minority stock-
3 holders in any company or corporation to be affected hereby.

Sect. 19. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, February 26, 1903.

Reported by Mr. SUTHERLAND of Biddeford from Committee on Railroads, Telegraphs and Expresses, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*