

MAINE STATE LEGISLATURE

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SEVENTY-SECOND LEGISLATURE

SENATE.

No. 88

STATE OF MAINE.

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

AN ACT to incorporate the Bangor and Northern Maine Short
Line Railway.

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

Section 1. William H. Taylor of New York City, in the
2 state of New York, John D. Higgins of said New York, John
3 W. Stokes of said New York, Edward A. Stokes of Trenton
4 in the state of New Jersey, George W. Maxfield of Bangor
5 in the State of Maine, and Herbert M. Heath of Augusta in
6 said State of Maine, their associates, successors and assigns,
7 are hereby made a corporation by the name of Bangor and
8 Northern Maine Short Line Railway, for the purpose of
9 locating, constructing, equipping, maintaining and operating
10 a railroad from some point at tide water in the city of Ban-
11 gor, thence through said city of Bangor, the westerly part
12 of Orono, the westerly part of Old Town, Alton, Argyle,
13 Lagrange, Edinburg, Howland, Maxfield, Mattamiscontis,

14 township Number Three, Range Eight, north of Waldo
15 Patent, Township Number Two, Range Eight, north of
16 Waldo Patent, Chester, Township Number Two, Range
17 Nine, north of Waldo Patent, Woodville, Mattawamkeag,
18 Molunkus, Medway, Township Letter A, Range Seven west
19 from east line of State, Millinockett, Indian Purchase Num-
20 ber Three in the county of Penobscot, and the following
21 unorganized townships, the ranges being west from the east
22 line of the State: Number One, Range Eight, Number Two,
23 Range Eight, Number Two, Range Nine, Number Three,
24 Range Nine, Number Two, Range Ten, Number Three,
25 Range Ten, Number Three, Range Eleven, Number Four,
26 Range Eleven, Number Four, Range Twelve, Number Five,
27 Range Twelve, Number Five, Range Thirteen, Number Six,
28 Range Twelve, Number Six, Range Thirteen, Number Seven,
29 Range Thirteen, Number Eight, Range Thirteen, Number
30 Eight, Range Fourteen, Number Eight, Range Fifteen,
31 Number Eight, Range Sixteen, Number Eight, Range Sev-
32 enteen, Number Eight, Range Eighteen, Number Eight,
33 Range Nineteen, Number Nine, Range Sixteen, Number
34 Nine, Range Seventeen, and Number Nine, Range Eighteen.
35 Also from a point on said railroad in Mattawamkeag,
36 through Mattawamkeag, Molunkus, Macwahoc Plantation,
37 Township Number One, Range Four, (sometimes called
38 North Yarmouth Academy Grant), Reed Plantation, Glen-
39 wood Plantation, Haynesville, Township Number Three,
40 Range Two, (sometimes called Leavitt Plantation), Amity,
41 Cary Plantation, Hodgdon, to and into the town of Houlton.
42 Also from a point on said railroad in Medway, thence
43 through said Medway, Township Number One, Range Six,
44 Township Number Two, Range Six, Stacyville Plantation,
45 Patten, Township Number Five, Range Seven, Mount Chase,
46 Township Number Six, Range Six, Township Number Six,
47 Range Seven, Township Number Seven, Range Six, Town-

48 ship Number Seven, Range Seven, Township Number Eight,
49 Range Six, Township Number Seven, Range Five, Town-
50 ship Number Eight, Range Five, Township Number Nine,
51 Range Five, Township Number Nine, Range Four, Town-
52 ship Number Eight, Range Four, Township Number Nine,
53 Range Three, Township Number Ten, Range Four, Town-
54 ship Number Ten, Range Three, (all said townships and
55 ranges being west from the east line of the State), Chapman
56 Plantation, Mapleton, to and into the town of Presque Isle.
57 In the construction, operation and maintenance of its said
58 railroad, the said corporation shall have all the powers and
59 privileges and be subject to all the duties and liabilities inci-
60 dent to railroad corporations under the general laws of the
61 State.

Sect. 6. The capital stock of said corporation shall consist
2 of not more than fifty-five thousand five hundred shares of
3 the par value of one hundred dollars each, the amount to be
4 fixed from time to time by the corporation. The immediate
5 government of its affairs shall be vested in a board of direc-
6 tors, to be chosen as the by-laws of said corporation may
7 provide, not in conflict with the general laws of the State,
8 who shall hold their offices until others are chosen and quali-
9 fied in their places. It shall have power to make, ordain,
10 and establish all necessary by-laws not inconsistent with said
11 general laws.

Sect. 7. Said corporation is authorized to hold, for the
2 purpose of this act, so much real and personal estate as may
3 be necessary and convenient therefor.

Sect. 5. Said corporation is authorized to carry on the
2 business of an express company upon its own line, and also
3 to maintain and operate telegraph and telephone lines for
4 public use along its location and to its principal offices, as
5 the same may be located.

Sect. 8. A toll is hereby granted for the benefit of said
2 corporation upon all passengers and property which may be
3 carried over its railroad, and upon all telegraph and telephone
4 messages which may be transmitted over its line, at such
5 rates as may be established by its directors, subject to such
6 general laws as are or may from time to time be established.

Sect. 12. Said corporation shall organize, and the location
2 of its railroad according to actual survey shall be filed with
3 the county commissioners of the several counties where
4 located on or before the first day of January, in the year of
5 our Lord one thousand nine hundred and six. It shall in
6 good faith begin the construction thereof on or before the
7 first day of July, in the year of our Lord one thousand nine
8 hundred and six, and all of its said road shall be in actual
9 operation on or before the first day of January, in the year
10 of our Lord one thousand nine hundred and nine, unless
11 prevented by strikes, litigation, or by causes beyond the con-
12 trol of said corporation.

Sect. 13. Said corporation may issue its bonds from time
2 to time upon such rates and times as may be deemed expe-
3 dient, and in such amounts as may be required for the pur-
4 poses of this act, and secure the same by appropriate mort-
5 gages upon its franchises and property.

Sect. 14. The first meeting of said corporation may be
2 called by any corporator above named by notice thereof in
3 writing signed by said corporator, and given in hand or
4 mailed to each of the other corporators, at least seven days
5 before said meeting, and any corporator may act at said meet-
6 ing by written proxy.

Sect. 11. The State land agent is hereby authorized,
2 empowered and directed, when thereto requested by the said
3 corporation, to execute to said railroad company, for a nomi-
4 nal consideration, on behalf of the State, a deed of right of
5 way six rods wide over such public lots and land owned by

6 the State as may be crossed by the location of the railroad of
7 said company.

Sect. 17. Said corporation is created by this special act,
2 because the objects of the said corporation cannot otherwise
3 be attained.

Sect. 3. Said corporation is empowered to erect and main-
2 tain bridges across lakes, ponds, rivers and streams, whether
3 navigable or not, which its railroad may cross, provided that
4 such bridges shall be so constructed and maintained as not
5 unnecessarily to obstruct the navigation or public use of such
6 waters.

Sect. 10. Said corporation is authorized to make connec-
2 tions at grade with all railroads crossed by its location in
3 such manner as may be agreed, and if the manner of such
4 grade connections is not so agreed upon then the railroad
5 commissioners shall, upon petition therefor, after due notice
6 and hearing, finally determine the manner thereof. The
7 railroad of said corporation and of the corporation, or cor-
8 porations, with which it shall so connect, shall thereupon be
9 deemed connecting railroads within the meaning of the gen-
10 eral laws of this State.

Sect. 15. Said corporation shall not, directly or indirectly,
2 through any device whatever, assign this charter or any
3 rights hereunder; lease or grant the use or control of its road
4 or any part of it, or divest itself thereof without the consent
5 of the Legislature. Nor shall the corporators or stockholders
6 thereof, with intent to evade the foregoing provision, transfer
7 their rights herein or their stock in said corporation, directly
8 or indirectly, or by any device whatever, to any person or
9 corporation, or persons or corporations, for the purpose of
10 giving directly or indirectly the control of said road or any
11 part of it to any other railroad corporation. On a complaint
12 of a violation of any of these provisions by any person the
13 attorney general shall file an information in the nature of

14 quo warranto against the corporation, and the court may
15 enter such decree as justice and equity may require.

Sect. 4. Said corporation is authorized at its terminals in
2 the city of Bangor to erect, construct and maintain such
3 wharves adjoining the property by it acquired as may be
4 necessary and convenient, but in such manner as not to
5 unnecessarily obstruct navigation by the building or use
6 thereof.

Sect. 9. Said corporation in reaching its terminals at tide
2 water in the city of Bangor, is authorized to cross the tracks
3 and property of the Maine Central Railroad Company in such
4 manner as shall not obstruct or interfere with the use of its
5 said tracks or property by the said Maine Central Railroad
6 Company except in so crossing the same. If said corpora-
7 tion and said Maine Central Railroad Company fail to agree
8 upon the manner and conditions of such crossing, or cross-
9 ings, then the manner and conditions thereof shall be deter-
10 mined by the railroad commissioners upon petition therefor
11 after notice and hearing, and the decision of said commis-
12 sioners thereon shall be final.

Sect. 2. In locating and constructing its said railroad as
2 above authorized from Millinockett to Township Number
3 Eight, Range Nineteen, Somerset county, and Township
4 Number Nine, Range Eighteen, in said county, the said cor-
5 poration may adopt such route between said points in place
6 of the route above designated as will in the judgment of its
7 directors be the most feasible and best subserve the public
8 convenience.

Sect. 16. So much of chapter one hundred and twenty-two,
2 Private and Special Laws of eighteen hundred and ninety-
3 one, of chapter three hundred and sixty-two, Private and
4 Special Laws of eighteen hundred and ninety-three, and
5 chapter two hundred and twenty-two, Private and Special

6 Laws of nineteen hundred and three, as is inconsistent with
7 this act is hereby repealed so far as necessary to accomplish
8 the purposes of this act.

Sect. 18. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 15, 1905.

Reported by Mr. TARTRE from Committee on Railroads and
Expresses to be printed and recommitted.

KENDALL M. DUNBAR, *Secretary*.