

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

HOUSE.

No. 150

STATE OF MAINE.

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

AN ACT to enlarge the powers of the Auburn, Mechanic Falls
and Norway Street Railway, and to change its name to
Lewiston, Augusta & Waterville Street Railway.

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

Section 1. The organization of the Auburn, Mechanic
2 Falls and Norway Street Railway, a corporation organized
3 under the general laws of the State, is hereby ratified,
4 approved and confirmed.

Sect. 2. The name of the Auburn, Mechanic Falls and
2 Norway Street Railway is hereby changed to Lewiston,
3 Augusta and Waterville Street Railway.

Sect. 3. The Lewiston, Augusta and Waterville Street
2 Railway, its successors and assigns, shall have power and
3 authority to acquire by purchase, lease, merger or con-
4 solidation, all the properties, rights, privileges and fran-

5 chises of the Lewiston, Brunswick and Bath Street Railway,
6 including the property, rights, privileges and franchises
7 formerly of the Lewiston and Auburn Horse Railroad Com-
8 pany and of the Bath Street Railway, heretofore acquired
9 by said Lewiston, Brunswick and Bath Street Railway, and
10 also of the Augusta, Winthrop and Gardiner Railway, in-
11 cluding the property, rights, privileges and franchises for-
12 merly of the Augusta, Hallowell and Gardiner Railroad
13 Company, heretofore acquired by said Augusta, Winthrop
14 and Gardiner Railway, and of the Augusta and Waterville
15 Railway, upon such terms and conditions as may be agreed
16 upon by the stockholders of said several companies, and
17 subject to the provisions of sections fifty-six to sixty-seven,
18 both inclusive, of chapter forty-seven of the revised statutes,
19 and subject also to the rights of all creditors of each and
20 all of said companies, and each and all of said companies
21 are hereby authorized and empowered to lease or sell and
22 convey their respective properties, rights, privileges and
23 franchises to said Lewiston, Augusta and Waterville Street
24 Railway or to merge or consolidate with said Lewiston,
25 Augusta and Waterville Street Railway.

Sect. 4. The Lewiston, Augusta and Waterville Street
2 Railway, its successors or assigns, is hereby authorized and
3 empowered, from time to time, to acquire by purchase, lease,
4 merger, consolidation or otherwise the properties, rights,
5 privileges and franchises of any water power company, or
6 of any company making, generating, selling or distributing
7 gas or electricity, or other motive power, or the lines, prop-

8 erty, rights, privileges and franchises of any street railroad
9 company whose lines, as now or hereafter constructed,
10 authorized or acquired, would form connecting or continuing
11 lines with the lines of said Lewiston, Augusta and Water-
12 ville Street Railway, as now or hereafter constructed,
13 authorized or acquired, severally upon such terms and con-
14 ditions as may be agreed upon by the stockholders of said
15 several companies, and subject to the provisions of sections
16 fifty-six to sixty-seven, both inclusive, of chapter forty-
17 seven of the revised statutes, and subject also to the rights
18 of all creditors of each and all of said companies, and the
19 power and authority is hereby given to any such company
20 to lease, sell, consolidate, merge or otherwise dispose of its
21 property and franchises to and with the Lewiston, Augusta
22 and Waterville Street Railway, its successors or assigns.
23 Said Lewiston, Augusta and Waterville Street Railway shall
24 have power and authority to lease or sell and convey or
25 otherwise dispose of its property, rights, privileges and
26 franchises to any such company, the property, rights and
27 franchises of which the said Lewiston, Augusta and Water-
28 ville Street Railway, its successors or assigns, is hereby
29 given the right to acquire, subject to the same terms and
30 conditions by this act made applicable to the acquisition by
31 the Lewiston, Augusta and Waterville Street Railway, its
32 successors or assigns, of the property, rights, privileges and
33 franchises of any such company and in such case any such
34 company is hereby correspondingly authorized and empow-
35 ered to acquire the property, rights, privileges and franchises

36 of said Lewiston, Augusta and Waterville Street Railway.

Sect. 5. The Lewiston, Augusta and Waterville Street
2 Railway, its successors or assigns, upon the purchase or
3 acquisition of the properties, rights, privileges and fran-
4 chises of the several companies named in section three of
5 this act and included in section four hereof, or any of them,
6 shall have, possess and enjoy all the powers, rights, privi-
7 leges and franchises specified in the charters of or held,
8 possessed or enjoyed by said several companies the rights,
9 privileges and franchises of which are so purchased or
10 acquired, subject to all the appropriate conditions and limi-
11 tations of such charters and franchises.

Sect. 6. The Lewiston, Augusta and Waterville Street
2 Railway, its successors or assigns, may sell or otherwise
3 dispose of any surplus power made or generated at any of
4 its power plants for any and all purposes in or to any cities
5 or towns of this State, in which such power plant is located
6 and the neighboring cities or towns, and for such purposes
7 may erect such poles and string such wires as may be rea-
8 sonably necessary and proper; *provided*, however, that it
9 shall not sell or otherwise dispose of such surplus power in
10 or to any city or town in or to which another company,
11 person, or firm are making, generating, selling, distributing
12 or supplying, or are authorized to make, generate, sell, dis-
13 tribute or supply gas or electricity, or both, unless and until
14 it shall obtain the consent of such other company, person
15 or firm.

Sect. 7. All proceedings, suits at law or in equity which
2 may be pending at the time of any transfer hereby author-
3 ized to which any corporation making any transfer here-
4 under may be a party may be prosecuted or defended by
5 said Lewiston, Augusta and Waterville Street Railway in
6 like manner and with like effect as if such transfer had not
7 been made. All debts, claims, contracts, rights and causes
8 of action of or against any corporation making any such
9 transfer, at law or in equity, may be enforced by suit or
10 action to be begun or prosecuted by or against the said
11 Lewiston, Augusta and Waterville Street Railway, its suc-
12 cessors or assigns.

Sect. 8. The Lewiston, Augusta and Waterville Street
2 Railway, for the purposes of its incorporation and for any
3 or all of the purposes of this act, may increase its capital
4 stock from time to time at any legal meeting of its stock-
5 holders to such amount as may be approved at such meeting.

Sect. 9. The Lewiston, Augusta and Waterville Street
2 Railway, its successors or assigns, is hereby authorized and
3 empowered to issue its bonds, from time to time, as part of
4 the purchase price of and for the purpose of providing
5 means with which to pay for, the properties, rights, privi-
6 leges and franchises which it is hereby authorized to acquire,
7 to pay its debts and the debts of the several companies, the
8 properties, rights, privileges and franchises of which it may
9 acquire under the authority herein and hereby conferred,
10 to improve or add to its properties, and to raise such funds
11 as may be required in the conduct of its business, and to

12 secure the same by appropriate mortgages upon all or any
13 part of its properties, rights, privileges and franchises now
14 possessed or hereafter acquired. It, or its successors or
15 assigns, may likewise issue its stock and bonds in payment
16 and exchange for the stock, bonds, properties, rights, privi-
17 leges and franchises of any corporation making any transfer
18 under this act in such manner and in such amounts as may
19 be agreed upon.

Sect. 10. The Lewiston, Augusta and Waterville Street
2 Railway, its successors or assigns, may purchase, hold, sell,
3 assign, transfer, mortgage, pledge or otherwise dispose of
4 the shares of capital stock of, or any bonds, securities or
5 evidences of indebtedness of any corporation mentioned or
6 described in sections three or four of this act, or of any
7 corporation the purposes, business or operations of which
8 are incidental or germane to or connected with the purposes,
9 business or operations of this corporation, and while owners
10 of such stock may exercise all the rights, powers and privi-
11 leges of ownership, including the right to vote thereon.

Sect. 11. The Lewiston, Augusta and Waterville Street
2 Railway may lease, purchase, receive, let, dispose of and
3 hold such real and personal estate as may be necessary or
4 convenient for the purposes of its business.

Sect. 12. The Lewiston, Augusta and Waterville Street
2 Railway may guarantee the bonds or other obligations of
3 any company or companies, the property and franchises of
4 which it shall have purchased or leased, or the stock a
5 majority of which it shall have acquired.

Sect. 13. The Lewiston, Augusta and Waterville Street
2 Railway, its successors or assigns, is hereby authorized and
3 empowered, if and when it purchases or otherwise acquires
4 the properties, rights, privileges and franchises of the Lew-
5 iston, Brunswick and Bath Street Railway and the Augusta,
6 Winthrop and Gardiner Railway, upon compliance with sec-
7 tion seven of chapter fifty-three of the revised statutes, to
8 extend its lines from the village of Sabattus in the town of
9 Webster to such city or town on the line of the Augusta,
10 Winthrop and Gardiner Railway, as it may find convenient,
11 either on streets, roads or ways, or on private property or
12 partly on one and partly on the other, as may be approved
13 by the Railroad Commissioners, and said company shall have
14 all the powers given by sections seven and twelve of chapter
15 fifty-three of the revised statutes to appropriate property
16 for the purposes of this section. Nothing in this section
17 shall be construed to deprive the municipal officers of the
18 towns and cities, wherein such extensions shall be built, of
19 any of their powers under said chapter fifty-three.

Sect. 14. If and whenever the Augusta and Waterville
2 Railway shall be authorized, as provided by chapter fifty-
3 three of the revised statutes, to construct its road, the said
4 company, its successors or assigns, shall have all the powers
5 given by sections seven and twelve of said chapter fifty-
6 three to appropriate private property for so much of its
7 location as the railroad commissioners may approve outside
8 the limits of streets, roads or ways. Nothing in this section
9 shall be construed to deprive the municipal officers of any

10 city or town, named in said articles, of any of their powers
11 under said chapter fifty-three.

Sect. 15. So far as the consent of the state is essential
2 thereto, all the acts and doings of the Lewiston, Brunswick
3 and Bath Street Railway in the acquisition of the properties
4 and franchises of the Lewiston and Auburn Horse Railroad
5 Company and of the Bath Street Railway, and in the issue
6 of its stocks and bonds and the mortgage securing the same,
7 are hereby ratified, confirmed and approved.

Sect. 16. So far as the consent of the state is essential
2 thereto, all the acts and doings of the Augusta, Winthrop
3 and Gardiner Railway in the acquisition of the property
4 and franchises of the Augusta, Hallowell and Gardiner Rail-
5 road Company, and in the issue of its stocks and bonds and
6 the mortgages securing the same, and also all the acts and
7 doings of the Augusta, Hallowell and Gardiner Railroad
8 Company in the issue of its stocks and bonds and the mort-
9 gages securing the same, are hereby ratified, confirmed and
10 approved.

Sect. 17. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, February 7, 1907.

Reported by Mr. HALL from Committee on Railroads and Expresses,
and ordered printed and recommitted.

E. M. THOMPSON, *Clerk.*