

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-THIRD LEGISLATURE

HOUSE.

No. 313

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 consolida-
4 tion, all the properties, rights, privileges and franchises of
5 the Lewiston, Brunswick and Bath Street Railway, including
6 the property, rights, privileges and franchises formerly of
7 the Lewiston and Auburn Horse Railroad Company and of
8 the Bath Street Railway, heretofore acquired by said Lewis-
9 ton, Brunswick and Bath Street Railway, and also of the
10 Augusta, Winthrop and Gardiner Railway, including the
11 property, rights, privileges and franchises formerly of the
12 Augusta, Hallowell and Gardiner Railroad Company, here-
13 tofore acquired by said Augusta, Winthrop and Gardiner
14 Railway, and of the Augusta and Waterville Railway, upon
15 such terms and conditions as may be agreed upon by the
16 stockholders of said several companies, and subject to the
17 provisions of sections fifty-six to sixty-seven, both inclusive,
18 of chapter forty-seven of the Revised Statutes, and subject
19 also to the rights of all creditors of each and all of said
20 companies, and each and all of said companies are hereby
21 authorized and empowered to lease or sell and convey their
22 respective properties, rights, privileges and franchises to said
23 Lewiston, Augusta and Waterville Street Railway or to
24 merge or consolidate with said Lewiston, Augusta and
25 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, will 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-seven
17 of the Revised Statutes, and subject also to the rights of all
18 creditors of each and all of said companies, and the power
19 and authority is hereby given to any such company to lease,
20 sell, consolidate, merge or otherwise dispose of its property
21 and franchises to and with the Lewiston, Augusta and
22 Waterville Street Railway, its successors or assigns. Said
23 Lewiston, Augusta and Waterville Street Railway shall have
24 power and authority to lease or sell and convey or otherwise
25 dispose of its property, rights, privileges and franchises to
26 any such company, the property, rights and franchises of
27 which the said Lewiston, Augusta and Waterville Street
28 Railway, its successors or assigns, is hereby given the right
29 to acquire subject to the same terms and conditions by this
30 act made applicable to the acquisition by the Lewiston,
31 Augusta and Waterville Street Railway, its successors or

32 assigns, of the property, rights, privileges and franchises of
33 any such company, and in such case any such company is
34 hereby correspondingly authorized and empowered to acquire
35 the property rights, privileges and franchises of said Lew-
36 iston, Augusta and Waterville Street Railway. Nothing in
37 this section, however, shall authorize the acquisition in any
38 manner of any street railroad not located wholly within the
39 counties of Androscoggin, Kennebec, Somerset, Lincoln,
40 Knox or Waldo.

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 franchises
4 of the several companies named in section three of this act
5 and included in section four hereof, or any of them, shall
6 have, possess and enjoy all the powers, rights, privileges and
7 franchises specified in the charters of or held, possessed or
8 enjoyed by said several companies, the rights, privileges and
9 franchises of which are so purchased or acquired, subject to
10 all the appropriate conditions and limitations of such charters
11 and franchises.

Sect. 6. The Lewiston, Augusta and Waterville Street
2 Railway, its successors or assigns, may sell or otherwise dis-
3 pose of any surplus power made or generated at any of its
4 power plants for any and all purposes in or to any cities or
5 towns of this state, in which such power plant is located and
6 the neighboring cities or towns, and for such purposes may
7 erect such poles and string such wires as may be reasonably

8 necessary and proper; provided, however, that it shall not
9 sell or otherwise dispose of such surplus power in or to any
10 city or town in or to which another company, person, or firm
11 are making, generating, selling, distributing or supplying,
12 or are authorized to make, generate, sell, distribute or supply
13 gas or electricity, or both, unless and until it shall obtain the
14 consent of such other company, person 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 said
5 Lewiston, Augusta and Waterville Street Railway in like
6 manner and with like effect as if such transfer had not been
7 made. All debts, included in section four hereof, or any of
8 them, shall have, possess and enjoy all the powers, rights,
9 privileges and franchises specified in the charters of or held,
10 possessed or enjoyed by said several companies, the rights,
11 privileges and franchises of which are so purchased or
12 acquired, subject to all the appropriate conditions and limita-
13 tions of such charters and franchises.

Sect. 6. The Lewiston, Augusta and Waterville Street
2 Railway, its successors or assigns, may sell or otherwise dis-
3 pose of any surplus power made or generated at any of its
4 power plants for any and all purposes in or to any cities or
5 towns of this state, in which such power plant is located and
6 the neighboring cities or towns, and for such purposes may
7 erect such poles and string such wires as may be reasonably

8 necessary and proper; provided, however, that it shall not
9 sell or otherwise dispose of such surplus power in or to any
10 city or town in or to which another company, person, or firm
11 are making, generating, selling, distributing or supplying,
12 or are authorized to make, generate, sell, distribute or supply
13 gas or electricity, or both, unless and until it shall obtain
14 the consent of such other company, person or firm.

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

Sect. 8. The Lewiston, Augusta and Waterville Street
2 Railway, for the purposes of its incorporation and for any or
3 all of the purposes of this act, may increase its capital stock
4 from time to time at any legal meeting of its stockholders
5 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 means
5 with which to pay for the properties, rights, privileges and
6 franchises which it is hereby authorized to acquire, to pay
7 its debts and the debts of the several companies, the proper-
8 ties, rights, privileges and franchises of which it may acquire
9 under the authority herein and hereby conferred, to improve
10 or add to its properties, and to raise such funds as may be
11 required in the conduct of its business, and to secure the
12 same by appropriate mortgages upon all or any part of its
13 properties, rights, privileges and franchises now possessed
14 or hereafter acquired. It, or its successors or assigns, may
15 likewise issue its stock and bonds in payment and exchange
16 for the stock, bonds, properties, rights, privileges and fran-
17 chises of any corporation making any transfer under this act
18 in such manner and in such amounts as may be agreed upon,
19 subject to the approval of the railroad commissioners.

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 the
4 shares of capital stock of, or any bonds, securities or evi-
5 dences 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 are
8 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 hold
3 such real and personal estate as may be necessary or con-
4 venient for the purposes of its business.

Sect. 12. The Lewiston, Augusta and Waterville Street
2 Railway may guarantee the bonds or other obligations of any
3 company or companies, the property and franchises of which
4 it shall have purchased or leased, or the stock a majority of
5 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 extension 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 roads, the said
4 company, its successors or assigns, shall have all the powers
5 given by sections seven and twelve of said chapter fifty-three
6 to appropriate private property for so much of its location
7 as the railroad commissioners may approve outside the limits
8 of streets, roads or ways. Nothing in this section shall be
9 construed to deprive the municipal officers of any city or
10 town named in said articles, of any of their powers under
11 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 and
4 franchises of the Augusta, Hallowell and Gardiner Railroad
5 Company and in the issue of its stocks and bonds and the
6 mortgages securing the same, and also all the acts and doings

7 of the Augusta, Hallowell and Gardiner Railroad Company
8 in the issue of its stocks and bonds and the mortgages secur-
9 ing the same, are hereby ratified, confirmed and approved.

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



STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, February 27, 1907.

Reported by Mr. MOORE from Committee on Railroads and Expresses,
and ordered printed under joint rules.

E. M. THOMPSON, *Clerk*