

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

NEW DRAFT.

SEVENTY-FOURTH LEGISLATURE

SENATE.

No. 338

STATE OF MAINE.

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

AN ACT to incorporate the Androscoggin Valley Railroad Co.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Hewitt M. Lowe of Turner, Maine, John A.
2 Jones and Albert L. Kavanagh, both of Lewiston, Maine,
3 Harry Manser of Auburn, Maine, and Frank W. Brigham
4 of Boston, Massachusetts, their associates, successors and
5 assigns, are hereby made a corporation under the name of
6 the Androscoggin Valley Railroad Co., with power to con-
7 struct, operate and maintain a street railroad for public use
8 for street traffic for the conveyance of persons and property
9 in the towns of Jay, East Livermore, Livermore and Tur-
10 ner, from the terminus of the Auburn and Turner Railroad
11 in the town of Turner to some convenient point or points in

12 the towns of East Livermore and Jay, over and along such
13 streets, roads or ways in said towns, or on private property,
14 or partly on one and partly on the other, as may be approved
15 by the Railroad Commissioners, and said corporation shall
16 have all the rights and powers and be subject to all the du-
17 ties and liabilities incident by law to similar corporations:
18 and all of the general laws of the State applicable to street
19 railroad corporations, except as modified by this charter, are
20 hereby made applicable to said corporation.

Sect. 2. The capital stock of said corporation shall not
2 exceed three hundred thousand dollars and may be divided
3 into common and preferred stock as said corporation may
4 determine. It may make and ordain such reasonable by-
5 laws, not inconsistent in law, as its business may require.

Sect. 3. Said corporation, its successors or assigns, is
2 hereby authorized and empowered, from time to time, to
3 acquire by purchase, lease, merger, consolidation or other-
4 wise, the lines, property, rights, privileges and franchises of
5 any street railroad company, whose lines, as now or here-
6 after constructed, authorized or acquired, will form con-
7 necting or continuing lines with the lines of said corpora-
8 tion, as now or hereafter constructed, authorized or acquired,
9 or the properties, rights, privileges and franchises of any
10 person or company owning any water power, or of any per-
11 son or company making, generating, selling or distributing
12 gas or electricity, or other motive power, severally upon
13 such terms and conditions as may be agreed upon by the

14 owners, or stockholders of said several companies, and sub-
15 ject to the provisions of sections fifty-six to sixty-seven,
16 both inclusive, of chapter forty-seven of the revised statutes,
17 and subject also to the rights of all creditors of each and
18 all of said companies; and the power and authority is hereby
19 given to any such company to lease, sell, consolidate, merge
20 or otherwise dispose of its property and franchises to and
21 with said corporation, its successors or assigns. Said cor-
22 poration shall have power and authority to lease or sell and
23 convey or otherwise dispose of its property, rights, privileges
24 and franchises to any such company, the property, rights
25 and franchises of which the said corporation, its successors
26 or assigns, is hereby given the right to acquire, subject to
27 the same terms and conditions by this act made applicable to
28 the acquisition by said corporation, its successors or assigns,
29 of the property, rights, privileges and franchises of any
30 such company, and in such case any such company is hereby
31 correspondingly authorized and empowered to acquire the
32 property, rights, privileges and franchises of said corpora-
33 tion. Nothing in this section, however, shall authorize the
34 acquisition in any manner of any street railroad not located
35 wholly within the counties of Androscoggin, Oxford and
36 Franklin.

Sect. 4. Said corporation, its successors or assigns, upon
2 the purchase or acquisition of the properties, rights, priv-
3 ileges and franchises of any such company or companies
4 named in section three of this act, shall have, possess and

5 enjoy all the powers, rights, privileges and franchises speci-
6 fied in the charters of or held, possessed or enjoyed by said
7 several companies, the rights, privileges and franchises of
8 which are so purchased or acquired, subject to all the ap-
9 propriate conditions and limitations of such charters and
10 franchises.

Section 5. Said corporation, its successors or assigns, may
2 sell or otherwise dispose of any surplus power made or gen-
3 erated at any of its power plants for any and all purposes in
4 or to any cities or towns of this State, in which such power
5 plant is located, and the neighboring cities or towns, and for
6 such purposes may erect such poles and string such wires
7 as may be reasonably necessary and proper; provided, how-
8 ever, that it shall not sell or otherwise dispose of such sur-
9 plus power in or to any city or town in or to which another
10 company, person or firm are making, generating, selling, dis-
11 tributing or supplying, or are authorized to make, generate,
12 sell, distribute or supply gas or electricity, or both, unless
13 and until it shall obtain the consent of such other company,
14 person or firm.

Sect. 6. Said corporation, its successors or assigns, is
2 hereby authorized and empowered to issue its bonds, from
3 time to time, as part of the purchase price of and for the
4 purpose of providing means with which to pay for the prop-
5 erties, rights, privileges and franchises which it is hereby
6 authorized to acquire, to pay its debts and the debts of the
7 several companies, the properties, rights, privileges and

8 franchises of which it may acquire under the authority here-
9 in and hereby conferred, to improve or add to its properties,
10 and to raise such funds as may be required in the conduct
11 of its business, and to secure the same by appropriate mort-
12 gages upon all or any part of its properties, rights, privileges
13 and franchises now possessed or hereafter acquired. It, or
14 its successors or assigns, may likewise issue its stock and
15 bonds in payment and exchange for the stock, bonds, prop-
16 erties, rights, privileges and franchises of any corporation
17 making any transfer under this act in such manner and in
18 such amounts as may be agreed upon, subject to the ap-
19 proval of the railroad commissioners.

Sect. 7. Said corporation, its successors or assigns, may
2 purchase; hold, sell, assign, transfer, mortgage, pledge or
3 otherwise dispose of the shares of capital stock of, or any
4 bonds, securities or evidences of indebtedness of any com-
5 pany mentioned or described in section three of this act, or
6 of any company, the purposes, business or operations of
7 which are incidental or germane to or connected with the
8 purposes, business or operations of this corporation, and
9 while owners of such stock may exercise all the rights, pow-
10 ers and privileges of ownership, including the right to vote
11 thereon.

Sect. 8. Said corporation may lease, purchase, receive, let,
2 dispose of and hold any such real and personal estate as may
3 be necessary or convenient for the purposes of its busi-
4 ness.

Sect. 9. Said corporation may guarantee the bonds or
2 other obligations of any company or companies, the property
3 and franchises of which it shall have purchased or leased,
4 or the stock a majority of which it shall have acquired.

Sect. 10. Said corporation is authorized to make connec-
2 tion with the line of the Auburn and Turner Railroad Com-
3 pany, in accordance with the provisions of section twenty-
4 one of chapter fifty-three of the Revised Statutes, and to
5 contract with said Auburn and Turner Railroad Company
6 and with the Lewiston, Augusta and Waterville Street Rail-
7 way for the interchange of cars and for running rights, on
8 such terms and in such manner as may be mutually agreed
9 upon between the parties; or if they shall not agree, to be
10 determined by the railroad commissioners upon application,
11 notice and hearing therefor.

Sect. 11. Said corporation is authorized to make such
2 connections with the lines of the Maine Central Railroad
3 Company and the Portland and Rumford Falls Railroad
4 Company as may be mutually agreed upon, and to contract
5 with the company or companies owning or controlling said
6 lines, for such interchange of cars as may be deemed proper.

STATE OF MAINE.

IN SENATE,

March 4, 1909.

Reported by Mr. COLCORD from Committee on Railroads
and Expresses and laid on table to be printed under joint rules.

F. G. FARRINGTON, *Secretary*.