

# MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

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HOUSE

NO. 94

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*House of Representatives, Feb. 2, 1911.*

*Tabled for printing by Mr. Hersey, pending reference to a committee.*

*C. C. HARVEY, Clerk.*

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STATE OF MAINE

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

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AN ACT to incorporate the Eastern Maine Railroad.

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

Section 1. Edward H. Blake, Flavius O. Beal, William  
2 L. Miller, James W. Cratty, A. A. Merrill, George W. Max-  
3 field, Ara Warren, Harry C. Chapman, Calvin P. Thomas,  
4 Harlan P. Sargent, Bisbee B. Merrill, Samuel H. Woodbury,  
5 Charles D. Merritt and Alfred G. Chambers, and their asso-  
6 ciates, successors and assigns, are hereby created a body cor-  
7 porate under the name of the Eastern Maine Railroad, with  
8 all the powers, rights and privileges and subject to all the  
9 duties, restrictions and obligations conferred and imposed by  
10 the laws of the state of Maine.

Sect. 2. Said corporation shall have the right to locate,

2 construct, equip, maintain and operate a railroad about one  
3 hundred and eight miles (108) in length, subject to all the  
4 provisions of chapter fifty-one, section six, of the revised  
5 statutes of the state of Maine, which said statutes, except as  
6 herein modified, are hereby made applicable to said corpo-  
7 ration; from some point at tide water in the city of Brewer  
8 opposite the city of Bangor, both in the county of Penobscot,  
9 thence by the route hereinafter described, crossing the Euro-  
10 pean and North American Railway, now leased and operated  
11 by the Maine Central Railroad Company, at some place in  
12 Reed Plantation or in the town of Bancroft, to some point  
13 in the town of Houlton, county of Aroostook; extending  
14 easterly through the city of Brewer and the towns of Holden,  
15 Eddington and Clifton in said county of Penobscot; thence  
16 northeasterly through the town of Amherst, township num-  
17 ber thirty-two, M. D., Number Thirty-three Plantation, also  
18 called Great Pond, townships number thirty-nine, M. D.,  
19 number forty, M. D., and number three, M. D., in the county  
20 of Hancock; thence northeasterly through township number  
21 three, range one, N. B. P. P., township number four, range  
22 one, N. B. P. P., also called Lakeville Plantation, and the  
23 towns of Springfield, Carroll and Prentiss in said county of  
24 Penobscot; thence northerly through townships number eight,  
25 range three, N. B. P. P., and number eight, range four,  
26 N. B. P. P., in the county of Washington; thence northerly  
27 through Reed Plantation, the towns of Bancroft and Haynes-  
28 ville, township number three, range two, W. E. L. S., also

29 called Leavitts Plantation, the town of Amity, Cary Planta-  
30 tion and the towns of Hodgdon and Houlton in said county  
31 of Aroostook; provided, however, that said corporation is  
32 authorized to locate in adjoining towns or townships east of  
33 the Penobscot river, if found necessary in the location and  
34 construction of said railroad.

Sect. 3. In case said railroad shall pass through any wood-  
2 lands or forests, said corporation shall have the right to fell  
3 or remove any trees or clear away any underbrush or growth  
4 standing or being within ten rods of its track as constructed  
5 and operated which for any reason obstruct or interfere with,  
6 or might obstruct or interfere with the operation of the rail-  
7 road of said corporation or which might be set on fire by  
8 sparks from locomotives or otherwise, and said corporation  
9 shall pay a just compensation therefor, to be determined and  
10 recovered in the same manner as provided by law for the  
11 recovery of damages for the taking of real estate.

Sect. 4. The said corporation is authorized to operate its  
2 railroad by steam, electricity, or any other power. It is fur-  
3 ther authorized to carry on the business of an express com-  
4 pany, and to maintain telephone and telegraph lines for pub-  
5 lic use along its location and to its various offices in said cities  
6 and towns.

Sect. 5. The capital stock of said corporation shall be fixed  
2 at the first meeting of said corporation with the right to in-  
3 crease the same up to two million dollars, and shall be divided  
4 into shares of one hundred dollars each.

Sect. 6. Said corporation shall have the power to make,  
2 ordain and establish all necessary by-laws and regulations  
3 consistent with the constitution and laws of the state of  
4 Maine for its own government and for the due and orderly  
5 conduct of its affairs and the management of its property.

Sect. 7. The officers of said corporation shall be a board  
2 of directors, a president, a clerk, a treasurer and such other  
3 officers as may be provided by the by-laws. The powers and  
4 duties of such officers shall be prescribed in the by-laws.

Sect. 8. A toll is hereby granted for the benefit of said  
2 corporation, upon all passengers and property which may be  
3 conveyed and transported on or over its railroad at such  
4 rates as may be established by its directors, and on such busi-  
5 ness as it may do over its telephone and telegraph lines, and  
6 through its express facilities, subject to such general laws  
7 relating thereto as are or may from time to time be estab-  
8 lished by the legislature.

Sect. 9. The said corporation is hereby authorized to make  
2 connections with any other railroad or railroads on such  
3 terms and under such conditions as may be fixed by the  
4 railroad commissioners after petition, notice and hearing,  
5 unless the parties otherwise agree thereon, and to lease its  
6 road and property, either before or after it shall have been  
7 complete, on such terms as it may determine, subject in all  
8 cases to the approval of the stockholders in each corporation.

Sect. 10. The said corporation is authorized to purchase  
2 or lease the property and franchises of any other connecting

3 railroad corporation in this state, or to purchase and hold the  
4 stock and bonds of any such corporation, and all such con-  
5 necting corporations or corporation, or any person or asso-  
6 ciation of persons, claiming rights under the stock, bonds,  
7 mortgages or franchises of any such corporation are hereby  
8 authorized to make such sales or leases. All such property,  
9 franchises, stock, bonds, so acquired may be pledged or mort-  
10 gaged to secure the bonds hereinafter authorized.

Sect. 11. Said corporation shall have the power to lease,  
2 purchase, hold and transfer such real and personal estate  
3 and motive power as may be necessary and convenient for  
4 its purposes, and may develop water power for the genera-  
5 tion of electricity for the operation of its business.

Sect. 12. Said corporation is authorized from time to time  
2 to issue its interest bearing bonds upon such rates and times  
3 and to such amounts as may be expedient, secured by mort-  
4 gage of its property, franchises, leasehold or other interests,  
5 for any purpose deemed necessary by it in the location, con-  
6 struction, completion, improvement, enlargement or opera-  
7 tion of its railroad and appendages or in the transaction of  
8 its business and to guarantee the payment of the principal  
9 and interest, or either, of any bonds issued by any connect-  
10 ing railroad corporation.

Sect. 13. The first meeting of said corporation may be  
2 called by any three of the corporators above named by notice  
3 thereof in writing, signed by said three corporators and given  
4 in hand or mailed to each of the other corporators at least

5 seven days before said meeting, and any corporator may act  
6 at such meeting by written proxy.

Sect. 14. This charter is granted inasmuch as the objects  
2 thereof cannot be attained under the general laws of the  
3 state of Maine.