

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 572

House of Representatives, Mar. 14, 1911.

Reported by Mr. Skchan from committee on Railroads and Expresses, and ordered printed under joint rules.

C. C. HARVEY, Clerk.

STATE OF MAINE

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

AN ACT to incorporate the Eastern Maine Railroad.

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

Section 1. Edward H. Blake, Flavus O. Beal, William L.
2 Miller, James W. Cratty, A. A. Merrill, George W. Maxfield,
3 Asa Warren, Harry C. Chapman, Calvin P. Thomas, Harlan
4 P. Sargent, Bisbee B. Merrill, Samuel H. Woodbury,
5 Charles D. Merritt and Alfred G. Chambers, and their as-
6 sociates, successors and assigns, are hereby created a body
7 corporate under the name of the Eastern Maine Railroad,
8 with all the powers, rights and privileges and subject to all
9 the duties, restrictions and obligations conferred and im-
10 posed by 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
6 as herein modified, are hereby made applicable to said cor-
7 poration; from some point at tide water in the city of Brewer
8 opposite the city of Bangor, both in the county of Penob-
9 scot, thence by the route hereinafter described, crossing the
10 European and North American Railway, now leased and
11 operated by the Maine Central Railroad Company, at some
12 place in Reed Plantation or in the town of Bancroft, to
13 some point in the town of Houlton, county of Aroostook;
14 extending easterly through the city of Brewer and the towns
15 of Holden, Eddington and Clifton in said county of Penob-
16 scot; thence northeasterly through the town of Amherst,
17 township number thirty-two, M. D., Number Thirty-three
18 Plantation, also called Great Pond, townships number thir-
19 ty-nine, M. D., number forty, M. D., and number three,
20 M. D., in the county of Hancock; thence northeasterly
21 through township number three, range one, N. B. P. P.,
22 township number four, range one, N. B. P. P., also called
23 Lakeville Plantation, and the towns of Springfield, Carroll
24 and Prentiss in said county of Penobscot; thence northerly
25 through townships number eight, range three, N. B. P. P.,
26 and number eight, range four, N. B. P. P., in the county of
27 Washington; thence northerly through Reed Plantation, the
28 towns of Bancroft and Haynesville, township number three,
29 range two, W. E. L. S., also called Leavitts Plantation, the

30 town of Amity, Cary Plantation and the towns of Hodgdon
31 and Houlton in said county of Aroostook; provided, how-
32 ever, that said corporation is authorized to locate in adjoin-
33 ing towns or townships east of the Penobscot river, if found
34 necessary in the location and 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
6 with, or might obstruct or interfere with the operation of
7 the railroad of said corporation or which might be set on
8 fire by sparks from locomotives or otherwise, and said cor-
9 poration shall pay a just compensation therefor, to be deter-
10 mined and recovered in the same manner as provided by
11 law for the 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
3 further authorized to carry on the business of an express
4 company, and to maintain telephone and telegraph lines for
5 public use along its location and to its various offices in said
6 cities and towns.

Sect. 5. The capital stock of said corporation shall be
2 fixed at the first meeting of said corporation with the right
3 to increase the same up to two million dollars, and shall be
4 divided 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 of
2 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
5 business as it may do over its telephone and telegraph lines,
6 and through its express facilities, subject to such general
7 laws relating thereto as are or may from time to time be
8 established 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 rail-
4 road commissioners after petition, notice and hearing, unless
5 the parties otherwise agree thereon, and to lease its road
6 and property, either before or after it shall have been com-
7 pleted, 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

4 the stock and bonds of any such corporation, and all such
5 connecting corporations or corporation, or any person or
6 association of persons, claiming rights under the stock,
7 bonds, mortgages or franchises of any such corporation
8 are hereby authorized to make such sales or leases. All
9 such property, franchises, stock, bonds, so acquired may be
10 pledged or mortgaged to secure the bonds hereinafter
11 authorized.

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

Sect. 12. Said corporation is authorized from time to
2 time to issue its interest bearing bonds upon such rates and
3 times and to such amounts as may be expedient, secured by
4 mortgage of its property, franchises, leasehold or other in-
5 terests, for any purpose deemed necessary by it in the loca-
6 tion, construction, completion, improvement, enlargement or
7 operation of its railroad and appendages or in the transaction
8 of its business and to guarantee the payment of the principal
9 and interest, or either, of any bonds issued by any conecing
10 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
4 given in hand or mailed to each of the other corporators at

5 least seven days before said meeting, and any corporator
6 may act 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.