

MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 113

H. P. 376

House of Representatives, January 27, 1937.

Referred to Committee on Public Utilities. Sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Viles of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

AN ACT to Amend the Charter of the Quebec Extension Railway Company.

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

Sec. 1. P. & S. L., 1913, c. 41, § 1, amended. Section 1 of chapter 41 of the private and special laws of 1913 is hereby amended to read as follows:

'Sec. 1. Corporators. Arthur R. Gould, Charles F. Daggett, Walter M. Seeley, R. H. McDonald and Horace N. Crandall of Presque Isle, Maine; H. D. Collins of Caribou, Maine, and Herbert T. Powers of Fort Fairfield, Maine, and their associates, successors and assigns, are hereby created a body corporate under the name of ~~Quebec Extension Railway Company~~ **Central Aroostook Railway Company**, with all the powers, rights and privileges incident to a street railway corporation, **and all the rights, powers, privileges and franchises which were granted heretofore to the Quebec Extension Railway Company, or have been acquired by virtue of said act, may, and shall be exercised in the same manner and for the same purpose, by the Central Aroostook Railway Company, as provided in said chapter 41 of the private and special laws of 1913.'**

Sec. 2. P. & S. L., 1913, c. 41, § 4, amended. Section 4 of chapter 41 of the private and special laws of 1913 is hereby amended to read as follows:

Sec. 4. Powers of corporation. In the event of said transfer, said ~~Quebec Extension Railway Company~~ **Central Aroostook Railway Company** upon compliance with the provisions of sections 7 of chapter 177 of the public laws of 1911, so far as applicable to this act, is hereby authorized and empowered to construct, equip, maintain and operate by electricity, ~~or~~ compressed air, **diesel-electric, diesel motor, gasoline-electric, or gasoline motor**, a street railway, with convenient single or double tracks, side tracks, or turn outs, with all necessary or convenient lines of poles, wires, appliances, appurtenances and conduits, commencing at some point on the line of the Aroostook Valley Railroad Company in Washburn, where the same is now in operation; thence through Washburn to Wade Plantation, through Wade Plantation, thence by a general westerly direction to the western boundary of the state; by a line which shall not be north of the north line of township 13, range 5, township 13, range 6, (otherwise called Portage Lake), township 13, range 7, township 13, range 8, township 13, range 9, township 13, range 10, township 13, range 11, township 13, range 12, township 13, range 13, township 13, range 14, township 13, range 15, and township 13, range 16, or south of the south line of township 12, range 6, (otherwise called Nashville Plantation), township 12, range 7, township 11, range 8, township 11, range 9, township 11, range 10, township 11, range 11, township 11, range 12, township 11, range 13, township 11, range 14, township 11, range 15, township 11, range 16, and township 11, range 17, either on streets, roads or ways, or on private property, or partly on one and partly on the other, as the directors may deem best for public convenience. All locations upon streets, roads or ways shall be approved by the municipal officers, as provided by the statutes of Maine. In their doings under section 7 of chapter 53 of the revised statutes as affected by chapter 177 of the public laws of 1911, the ~~railroad commissioners~~ **public utilities commission** shall not be required to determine that public convenience requires the construction of such road, but the locations must be approved by ~~them~~ **it**, as by said section required, before said road is constructed.

In approving so much of said location as is upon private property or outside of the limits of streets, roads or ways, or any subsequent change thereof, the ~~railroad commissioners~~ **public utilities commission** shall not be required to find that it is impracticable to locate said railroad within the limits of streets, roads, or ways, but ~~they~~ **it** shall approve such location so upon private property, upon finding after notices and hearing, that the public service of said corporation would be thereby better performed, and upon such finding, the said ~~Quebec Extension Railway Company~~ **Central Aroostook Railway Company** shall have all the powers otherwise given by the general laws of the state, necessary to take, hold and pay for so much

of its location as the ~~railroad commissioners~~ **public utilities commission** may so approve.'

Sec. 3. P. & S. L., 1913, c. 41, § 7, amended. Section 7 of chapter 41 of the private and special laws of 1913 is hereby amended to read as follows:

'Sec. 7. Further powers. Said ~~Quebec Extension Railway Company~~ **Central Aroostook Railway Company** is authorized to carry on the business of an express company and to maintain telephone lines for its own use and for public use, along its location and to its various offices in towns, plantations and townships. **The company is hereby authorized to carry on the business, not as a public utility but as an auxiliary service by the railway, of the sale of any surplus electric power available along the transmission wires used for the general operation of the railway, which surplus power, from time to time shall not be required for the safe, efficient and practical operation of the railway under the direction of the public utilities commission, and any such surplus electric power shall be summarily withdrawn from any sale at the command of the railway company, whenever required by the public utilities commission, to maintain the operation of railway service under any and all conditions.'**

Sec. 4. P. & S. L., 1913, c. 41, § 10, amended. Section 10 of chapter 41 of the private and special laws of 1913 is hereby amended to read as follows:

'Sec. 10. Capital stock. The capital stock of said ~~Quebec Extension Railway Company~~ **Central Aroostook Railway Company** shall be fixed at the 1st meeting of said corporation, with the right to increase the same up to \$4,000,000, and shall be divided into shares of \$100 each. **Provided further that the common capital stock of the railway company may be divided into shares of such other par value as shall be determined, from time to time by the board of directors, the stockholders having given the directors full power of discretion and issuance, through amendment of the by-laws of the Railway Company, and said board of directors is hereby authorized to issue such common capital stock, upon such conditions, at such times and to such amounts, as said board of directors shall deem expedient, but they shall, at no time, issue common capital stock to exceed a common share capital aggregate amount of \$4,000,000.**

The Railway Company is hereby authorized, from time to time, to issue its preferred stock of such par value, and upon such rates, conditions, times and to such amounts as may be determined expedient by the board of di-

rectors, the stockholders having given the directors full power of discretion and issuance, through amendment of the by-laws of the Railway Company, for any purpose deemed necessary by said board of directors in the location, construction, completion, improvement, enlargement or operation of its railroad and appendages, or in the transaction of its business. But said board of directors shall at no time issue shares of preferred stock exceeding a preferred share capital aggregate amount of \$4,000,000.

The issuance of the common capital stock and/or the issuance of preferred stock by the board of directors of the Railway Company shall be subject to the approval in amounts and such other conditions of issuance, by the public utilities commission and/or the Interstate Commerce Commission, or by any other regulatory body having proper jurisdiction as established by the general laws of the legislature of the state, or by the Congress of the United States.'