

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1891.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

CHAP. 69

Bowdoin College, are repealed, and that corporation may take and hold property and receive income, for the purposes for which it was incorporated, to any amount.

Approved February 16, 1891.

Chapter 69.

An Act to amend the charter of the Penobscot Central Railroad Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 1, ch. 120,
Special laws of
1872, amended.

SECT. 1. Section one of chapter one hundred and twenty of the special laws of eighteen hundred and seventy-two, as amended by chapter four hundred and sixteen of the special laws of eighteen hundred and seventy-four, and by chapter two hundred and twenty-three of the special laws of eighteen hundred and eighty-seven, is hereby amended by striking out all of section one of said chapter two hundred and twenty-three, after the word "Bangor" in the nineteenth line of said section, and by substituting therefor the following words: 'and from one or more points at or near tide water in said Bangor, thence running northerly, northeasterly and north-westerly through the towns of Bangor, Hermon and Glenburn, or either of said towns of Hermon or Glenburn, Kenduskeag, Corinth, Charleston, Bradford, Atkinson, Orneville, and Milo, to Milo Junction, so as to connect with the Katahdin Iron Works Railroad at said Junction, with the right to cross and connect with the Maine Central Railroad in Bangor, and the Bangor and Piscataquis Railroad at Milo Junction; and said corporation shall be, and hereby is invested with all the powers, privileges and immunities, which are or may be necessary to carry into effect the purposes of this act; and shall have the right to purchase or to take and hold so much of the land and real estate of private persons and corporations as may be necessary for the location, construction and convenient operation of said railroad; and they shall also have the right to take, remove and use, for the construction, and repair of said railroad and appurtenances, any earth, gravel, stone, timber or other material, on or from the land so taken.'

—route.

—may take real
estate.

SECT. 2. Section two of chapter one hundred and twenty of the special laws of eighteen hundred and seventy-two is hereby amended by striking out of the second line of said section, the following words "two thousand" and substituting in lieu thereof the words 'five hundred.'

Sec. 2, amended.

SECT. 3. Section seven of said chapter one hundred and twenty is hereby amended by striking out all of said section after the word "proper" in the third line, and by substituting therefor the following words 'and to sell and convey its corporate rights, franchises and other property or lease its road, franchises and other property after the filing of the location thereof and before or after it shall have been completed to any other railroad company, on such terms as its members shall determine; and the Castine Railway and Navigation Company is hereby authorized and empowered to purchase and to take the conveyance of the said corporate rights and property, or take a lease of said Penobscot Central Railroad on such terms as the said two corporations may agree upon.'

Sec. 7, amended.

—authorized to sell or lease property.

SECT. 4. Section eight of chapter one hundred and twenty of the special laws of eighteen hundred and seventy-two is hereby amended by adding thereto the following words, 'and said Castine Railway and Navigation Company, after it shall take a conveyance of the corporate rights, franchises and other property, or a lease of said Penobscot Central Railroad, is hereby authorized and empowered in its own name to construct, maintain and operate the same from a connection with its own railway in the city of Bangor, and to issue its own bonds and secure the same by a mortgage of its own railroad and of the Penobscot Central Railroad, their franchises and property, or in any other manner.'

Sec. 8 amended.

Castine Railway and Navigation Company authorized to operate road.

SECT. 5. Section nine of said chapter one hundred and twenty, is hereby amended by striking out all of said section after the word "Penobscot" in the third line, and by substituting therefor the words 'and Piscataquis counties, and the road completed on or before the thirty-first day of December, eighteen hundred and ninety-four, this act shall be void.'

Sec. 9 amended.

Act void if road is not completed Dec. 31, 1894.

SECT. 6. Chapter one hundred and twenty of the special laws of eighteen hundred and seventy-two, is hereby amended by substituting the following words for section ten. 'All acts and parts of acts inconsistent with this act, are hereby repealed.'

Inconsistent acts, repealed.

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Sec. 11
substituted for
sec. 10.

SECT. 7. Chapter one hundred and twenty of the special laws of eighteen hundred and seventy-two, is hereby amended by substituting for the number of section ten, that of section eleven, so that said charter, as amended, shall read as follows :

—corporators.

‘SECT. 1. John Morrison, Charles P. Brown, J. C. White, John B. Nichols, T. P. Batchelder, E. Flint, John H. Ramsdell, D. F. Davis, L. A. Bowler, Thomas R. Kingsbury, Lyndon Oak, George Clark, T. J. Peaks, William Dunning, George F. Hill, Ira W. Davis, T. McDonald, John H. Garvin, Jacob Eastman, Frank C. Barker, John Brown, Elisha Pierce, Simon G. Jerrard, their assigns, associates and successors, are hereby made and constituted a body politic and corporate, by the name of the Penobscot Central Railroad Company, and by that name may sue and be sued, plead and be impleaded, and shall enjoy all proper remedies at law and in equity, to secure and protect them in the exercise of their rights and privileges, and in the performance of their duties, and said corporation is hereby authorized and empowered to locate and construct, and finally alter and keep in repair a railroad with one set or more of rails or tracks, with all suitable bridges, tunnels, viaducts, turnouts, culverts, drains, and all other necessary appendages, from the Maine Central depot in Bangor and from one or more points at or near tide water in said Bangor, thence running northerly, northeasterly and northwesterly, through the towns of Bangor, Hermon, and Glenburn, or either of said towns of Hermon or Glenburn, Kenduskeag, Corinth, Charleston, Bradford, Atkinson, Orneville and Milo, to Milo Junction, so as to connect with the Katahdin Iron Works Railroad at said junction, with the right to cross and connect with the Maine Central Railroad in Bangor, and the Bangor and Piscataquis Railroad at Milo Junction ; and said corporation shall be and hereby is invested with all the powers, privileges and immunities which are or may be necessary to carry into effect the purposes of this act, and shall have the right to purchase or to take and hold, so much of the land and real estate of private persons and corporations, as may be necessary for the location, construction and convenient operation of said railroad, and they shall also have the right to take, remove and use for the construction and repair of said railroad and appurtenances, any earth, gravel, stone, timber, or other material on or from the land so taken.

—corporate
name.

—authorized to
locate, construct
and keep in
repair a
railroad.

—route.

—powers and
privileges.

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- ‘SECT. 2. The capital stock of said company shall consist of not less than five hundred and not more than ten thousand shares of one hundred dollars each, and the immediate direction of the affairs of said corporation shall be vested in a board of directors to be chosen as hereinafter provided, who shall hold their office until others are chosen and qualified in their places, a majority of whom shall constitute a quorum, and they shall elect one of their number to be president of the board, and he shall also be president of the corporation, and they shall have authority to choose a clerk and treasurer. The persons named in section one are hereby authorized, at a meeting holden for that purpose called by any five of the corporators, by publishing a notice of the same, at least seven days before the meeting, in the Bangor Daily Whig and Courier, to accept this act and organize said corporation.
- ‘SECT. 3. Said corporation shall have the power to make, ordain and establish all necessary by-laws.
- ‘SECT. 4. The president and directors for the time being, are authorized and empowered, by themselves or their agents, to exercise all the powers herein granted for the purpose of locating, constructing and completing said railroad, and for the transportation of persons, goods and property of all kinds and description, and all such powers and authority, as may be necessary and proper to carry into effect the objects of said corporation.
- ‘SECT. 5. A toll is hereby granted for the benefit of said corporation, upon all passengers and property which may be conveyed and transported, on or over its railroad, at such rate as may be established by its directors, subject to such laws in relation to railroad companies, as are or may be from time to time established by the legislature.
- ‘SECT. 6. The annual meeting of the stockholders of said corporation, shall be holden on such day as the by-laws may determine, at which meeting the directors shall be chosen by ballot.
- ‘SECT. 7. The corporation is hereby authorized to make connections with any other railroad, on such terms as its members may deem proper, and to sell and convey its corporate rights, franchises and other property, or lease its road, franchises or other property, after the filing of the location thereof, and before or after it shall have been

Capital stock.

—directors.

—president.

—first meeting,
how called.

By-laws.

Powers and
duties of
president and
directors.

Tolls granted.

Annual
meeting.Authorized
to make
connections
with other
roads.

CHAP. 70

completed, to any other railroad company, on such terms as its members shall determine; and the Castine Railway and Navigation Company, is hereby authorized and empowered to purchase and to take the conveyance of the said corporate rights and property, or take a lease of said Penobscot Central Railroad, on such terms as the said two corporations may agree upon.

May issue bonds
and mortgage
property.

‘SECT. 8. Said corporation is authorized to issue its bonds and to secure the same by a mortgage of its road, franchises and property, or in any other manner, and said Castine Railway and Navigation Company, after it shall take a conveyance of the corporate rights, franchises and other property, or a lease of said Penobscot Central Railroad, is hereby authorized and empowered, in its own name, to construct, maintain and operate the same from a connection with its own railway in the city of Bangor, and to issue its own bonds and secure the same by a mortgage of its own railroad and of the Penobscot Central Railroad, their franchises and property, or in any other manner.

When act
becomes void.

‘SECT. 9. If said corporation shall not have been organized and the location, according to actual survey of the route, filed with the county commissioners of Penobscot and Piscataquis counties, and the road completed on or before the thirty-first day of December, eighteen hundred and ninety-four, this act shall be void.

Inconsistent
acts, repealed.

‘SECT. 10. All acts and parts of acts inconsistent with this act, are hereby repealed.

‘SECT. 11. This act shall take effect when approved.’

Approved February 16, 1891.

Chapter 70.

An Act to incorporate the Kennebec and Franklin Railway.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. A. M. Spear, E. C. Allen, Weston Lewis, P. O. Vickery, William W. Bradstreet, M. V. B. Chase, P. H. Holmes, J. Manchester Haynes, J. S. Maxcy, J. W. Lash, George E. Macomber, F. E. Timberlake, Joseph C. Holman,