

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acts, repealed.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 All acts and parts of acts inconsistent with this act, are hereby repealed.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

Elliott Wood, H. F. Shaw, H. M. Heath ; said A. M. Spear, Weston Lewis, William W. Bradstreet, P. H. Holmes, J. S. Maxcy and J. W. Lash being residents of said Gardiner, and said E. C. Allen, P. O. Vickery, M. V. B. Chase, J. Manchester Haynes, George E. Macomber and H. M. Heath being residents of said Augusta, their associates, successors and assigns, are hereby made and constituted a body politic and corporate by the name of the Kennebec and Franklin Railway ; and the said corporation is hereby authorized to locate, construct, equip and operate a railroad from some point in Farmington through the towns of Chesterville, New Sharon, Vienna, Mount Vernon, Wayne, Fayette, Readfield, Winthrop, Monmouth, Manchester, West Gardiner, Litchfield, Farmingdale, and the city of Hallowell, or such of them as said corporation may deem advisable, to and into the cities of Augusta and Gardiner, and said corporation shall have all the powers, privileges and immunities, and be subject to all the duties and liabilities provided by the statutes of this state respecting railroads.

—corporate
name.

—authorized to
build a railroad

—route.

SECT. 2. The capital stock of said corporation shall consist of not more than six thousand shares of one hundred dollars each ; and the immediate government and direction of the affairs of said corporation shall be vested in not less than five nor more than nine directors, who shall be chosen by the members of said corporation in the manner hereinafter provided, and shall hold their offices until others shall have been duly elected and qualified in their stead, and a majority of them 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 the directors shall have authority to choose a clerk, who shall be sworn to the faithful discharge of his duties, and a treasurer, who shall be sworn and also give bond to the corporation, with sureties to the satisfaction of the directors, in a sum of not less than twenty thousand dollars, for the faithful discharge of his trust.

Capital stock.

—directors, how
chosen.

SECT. 3. A toll is hereby granted, for the benefit of said corporation, upon all passengers and property which may be conveyed or transported on or over its railroad, at such rate as may be established by its directors, subject to such general laws in relation to railroad companies as are, or may, from time to time be established by the legislature.

Tolls, granted.

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Authorized to connect with other railroads.

SECT. 4. The corporation is hereby authorized to make connections with any other railroad or railroads, on such terms as may be mutually agreed upon, and to lease its road and property either before or after it shall have been completed, on such terms as it may determine, subject in all cases to the approval of the stockholders in each corporation.

When act becomes void.

SECT. 5. If the said corporation is not organized, and the location of its route according to actual survey is not filed with the county commissioners of the counties in which the same shall be located, on or before the thirty-first day of December, in the year of our Lord one thousand eight hundred and ninety-four; or if it shall fail to complete its road on or before the thirty-first day of December, in the year of our Lord one thousand eight hundred and ninety-five, then, in either of the above mentioned cases, this act shall be null and void as to all that part of said railroad not completed and finished on or before the date last above mentioned.

May issue bonds and mortgage property.

SECT. 6. Said corporation is authorized to issue its bonds from time to time to such amount as may be required for the purposes authorized by this act, in such form as the directors may deem advisable, and to secure the same by mortgages of its road, franchise and property, or in any other manner.

Discrimination in rates between termini in Gardiner and Augusta prohibited.

SECT. 7. The said railroad shall have suitable and convenient termini both in Gardiner and in Augusta, and shall at all times furnish equal facilities for freight and passengers destined to or from either of said cities. All freight and passenger rates, whether in whole or in part over said railroad, shall at all times be the same, whether to or from either of said cities, without discrimination, preference or rebatè, direct or indirect, in favor of either against the other.

Authorized to purchase, etc., property of other railroads.

SECT. 8. The said corporation is authorized to purchase or lease the property and franchises of any railroad corporation in this state, of the same gauge, or to purchase and hold the stock or bonds of any such corporation. And all such corporations are hereby authorized to make such sales or leases. All leases, property, franchises, stocks and bonds so acquired may be pledged or mortgaged under section six of this act.

Authorized to build wharves.

SECT. 9. The said corporation is authorized to extend and construct its railroad into tide waters of the Kennebec river, and to build such wharves, piers and other structures as may

be necessary for terminal facilities in such manner, however, as not to impair or interfere with public navigation thereof.

SECT. 10. The corporators named as residents of the city of Augusta, shall, within six months from the approval of this act, procure a bona fide subscription of forty thousand dollars to the capital stock of said corporation and the corporators named as residents of the city of Gardiner, shall procure a like subscription of thirty thousand dollars to said capital stock. And the set of corporators failing to procure their proportion of the subscription as aforesaid shall cease to have any authority to act under this charter, and the terminus of said road shall not be required to be built to the city in which said delinquent corporators are residents, but the remaining corporators herein named shall have full power after such failure to proceed with the organization of said corporation in the same manner and with the same rights as if named alone in this act.

Corporators of Augusta and Gardiner shall procure bona fide subscriptions, within six months.

SECT. 11. The first meeting of said corporation may be called by any two corporators above named, by notice therefor in writing, a copy of which shall be given in hand or mailed to each corporator at least seven days before the time named therein for such meeting.

First meeting, how called.

SECT. 12. This act shall take effect when approved.

Approved February 17, 1891.

Chapter 71.

An Act to incorporate the City of Old Town.

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

SECT. 1. The inhabitants of the town of Old Town, in the county of Penobscot, shall continue to be a body corporate and politic under the name of the city of Old Town, and as such shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises, and shall be subject to all the duties, liabilities and obligations, now appertaining to or incumbent on said town as a municipal corporation, or appertaining to or incumbent on the inhabitants or the selectmen thereof, or provided for by this act.

Corporate name.

—rights, powers and privileges