

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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,
February 18, 1840, and March 16, 1842.

AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1891.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

CHAP. 118 ing him the same in hand, or by leaving the same at his last and usual place of abode, seven days before the time of meeting.

SECT. 14. This act shall take effect when approved.

Approved February 26, 1891.

Chapter 118.

An Act to revive and amend the charter of the Sebago Lake and Mechanic Falls Railroad Company.

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

Corporators.

SECT. 1. John D. Spiller, B. M. Fernald, Frank Storer, Henry J. Lane, Gideon Davis, L. M. Welch, C. Eugene Wescott, S. D. Maguire, David Duran, M. F. Winslow, Erastus A. Plummer, John McLellan, O. P. Chaffin, M. L. Keys, G. O. Goodwin and J. A. Lane, their associates, successors and assigns are hereby made and constituted a body corporate and politic, by the name of the Sebago Lake and Mechanic Falls Railroad Company and by this name may sue and be sued, plead and be impleaded, and shall have and enjoy all proper remedies at law and in equity, to secure and protect them in the exercises of the rights and privileges hereinafter granted, and the said corporation is hereby authorized and empowered to locate, construct and complete, alter and keep in repair, a railroad with one or more tracks, with all suitable bridges, turnouts, culverts, drains and all other necessary appendages, from some point near the outlet of Sebago lake, through the towns of Windham, Raymond, Casco, Poland and Minot, to some point at or near Mechanic Falls. 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 objects and purposes of this act, and for this purpose said corporation 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,

—corporate name.

Authorized to build a railroad.

—route.

Powers and privileges.

timber or other material on or from the land so taken, provided, that in all cases said corporation shall pay for all lands, estates or materials so taken and used, such price as they and the owners thereof may mutually agree upon, and in case said parties shall not otherwise agree the said corporation shall pay such damages as shall be ascertained and determined by the county commissioners of the several counties in which such lands or estates or materials may be situated, in the same manner and under the same conditions as are by law provided in the general laws of the state regarding railroads, and the land so taken by said corporation shall be held by it in like manner as lands taken and appropriated for highways, and no application to said county commissioners to estimate said damages shall be sustained unless made within three years from the time of taking such land or property, and in case such railroad shall pass through any woodland or forests, the said company shall have the right to fell or remove any trees standing within four rods of said road which by their liability to be blown down or natural falling might obstruct or impair said railroad, by paying a just compensation therefor, to be recovered in the same manner as provided for the recovery of other damages in this act.

—damages, how ascertained.

SECT. 2. The capital stock of said company shall be in shares of one hundred dollars each, par value, and the government and direction of the affairs of the company shall be vested in not less than five nor more than nine directors, who shall be chosen by the stockholders from their number and who shall hold their office until others have been chosen in their place, a majority of whom shall form a quorum for the transaction of business, and they shall elect one of their number to be president; they shall also choose a clerk of said corporation and a treasurer; for the purpose of receiving subscriptions to said stock, books shall be opened by the directors at such times and places as they may determine. Any three of the persons named in the first section of this act are hereby authorized to call the first meeting of this company for the choice of directors and organization, by giving personal notice in writing of the time, place and purposes of such meeting, at least seven days before the time mentioned in such notice.

Capital stock.

—directors.

—first meeting, how called.

SECT. 3. The president and directors for the time being are hereby authorized and empowered, by themselves or their

Powers, of president and directors., 173.

CHAP. 118

agents, to exercise all the powers herein granted to the corporation for the purpose of locating, constructing and completing said railroad, and for the transportation of persons, goods and property of all descriptions, and all such powers and authority for the management of the affairs of the corporation as may be necessary and proper to carry into effect the object of the corporation.

Toll, granted.

SECT. 4. A toll is hereby granted and established for the sole benefit of said corporation, on all passengers and property of all descriptions, which may be conveyed or transported by them upon said road, at such rates as may be agreed upon and established from time to time by the directors of said corporation, and said corporation shall have power to make, ordain and establish all the necessary by-laws and regulations consistent with the constitution and laws of this state, for their own government and for the due and orderly conducting of their affairs and the management of their property.

—by-laws.

May issue bonds, and mortgage property.

SECT. 5. For the purpose of raising means and funds to accomplish the object and purpose of this act, said corporation is hereby authorized to make and issue its bonds in such form and manner and payable at such time as the directors may, under the circumstances, deem advisable, and it may secure the principal and interest of said bonds by a mortgage of its railroad and all its lands, property, rights, privileges and franchises then possessed, held or owned, or hereafter acquired by said corporation made to such persons or trustees and in such form and manner as the directors may approve and prescribe. Said corporation is further authorized to lease its road, either before or after it shall be completed, or to lease any other road connecting with it on such time, terms and conditions as the stockholders, at a meeting regularly called for that purpose shall determine.

—may lease road.

May issue preferred and non-preferred stock.

SECT. 6. The corporation shall be authorized to issue non-preferred and preferred stock upon such terms and conditions and to such persons and corporations and with such limitations and restrictions as may be deemed most for the interest of the subscribers, the success of the corporation and the completion and equipment of the road and any town in the counties of Cumberland and Androscoggin deeming themselves interested in having said railroad constructed or to be benefited thereby may subscribe at par value for any amount of either class of said stock, or loan their credit, or both, by

—towns, may subscribe for stock or loan credit.

a vote of two-thirds of the legal voters of any such town present at any meeting legally called therefor, not to exceed the percentage prescribed by law of the valuation of such town and such vote shall be obligatory on such town for the payment of the amount so subscribed or loaned on such time or terms as may be agreed upon by them and the company and all stock so subscribed for by said towns shall be represented in said corporation by the municipal authorities thereof, and any such town specified in this section may in such vote designate on what part of said railroad line any money so voted to be raised by such town shall be expended and used, and said corporation shall expend and use all such money in the manner designated by such vote and in no other manner.

SECT. 7. If said corporation shall not have been organized and the location according to actual survey of the route filed with the county commissioners of the counties through which the railroad shall pass, within five years, or if said corporation shall fail to complete said railroad within eight years, then in either of the above mentioned cases this act shall be null and void as to that part of said road not completed at the expiration of the time last above mentioned.

Act void, if company is not organized and route surveyed within five years.

SECT. 8. This act shall take effect when approved.

Approved February 26, 1891.

Chapter 119.

An Act amending the act additional to the charter of the Portland and Rochester Railroad.

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

SECT. 1. The Portland and Rochester Railroad is authorized, subject to the written consent of the mayor and board of aldermen of the city of Portland, and to all statutes relating to Portland harbor, to change the route authorized by the act entitled "An Act additional to the charter of the Portland and Rochester Railroad," approved the ninth day of February, eighteen hundred and eighty-seven, so far as the route extends from a point at or near Green street in Portland or Deering, to a connection with the Grand Trunk Railway, so as to pass at one or more points partly outside of the marginal way

P. & R. Railroad authorized to change its route.