

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE

1895.

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1895.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1895.

Chapter 193.

An Act to empower the county of Aroostook to further aid in the construction of the Bangor and Aroostook Railroad in said county, and to acquire and hold additional preferred stock of the Bangor and Aroostook Railroad Company.

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

County
authorized
to further aid
B. & A. R. R.

SECT. 1. The county of Aroostook is hereby authorized to aid in the further construction of the Bangor and Aroostook Railroad in said county in addition to the aid which said county was authorized to give by chapter two hundred fifty of the private and special laws of eighteen hundred and ninety-one, by subscribing for and purchasing additional preferred stock of the Bangor and Aroostook Railroad Company to an amount not exceeding two hundred and twenty-eight thousand dollars. And the annual net earnings of said railroad company shall be applied :

How earnings
shall be
applied.

—to payment
of dividend
on preferred
stock, which
has been
issued.

I. To the payment of a dividend to the amount of five per cent upon so much preferred stock of said company as has been or may be issued to said county, pursuant to the terms of said chapter two hundred and fifty of the private and special laws of eighteen hundred and ninety-one.

—to payment
of dividend
on stock it
has, or may
issue.

II. To the payment of a dividend to the amount of five per cent on the preferred stock of said company which it has or may issue, pursuant to chapter three hundred and twelve of the private and special laws of eighteen hundred and ninety-one.

—to payment
of dividend
upon pre-
ferred stock,
which this act
authorizes.

III. To the payment of a dividend to the amount of five per cent upon the preferred stock of said company, which it is authorized to issue by this act, and does so issue and all such dividends shall be paid in the order named and before any dividend shall be declared or paid upon the common stock of said company, but at no time, shall the dividends upon the common stock be greater than the dividends on the preferred stock.

Question
shall be sub-
mitted to
voters.

SECT. 2. There shall be submitted to the voters of the several towns and organized plantations in said county within ninety days after the approval of this act, the following proposition: 'Shall the county of Aroostook subscribe for and purchase additional preferred stock of the Bangor and Aroostook Railroad Company, to an amount not exceeding two hundred and twenty-eight thousand dollars,' and it is hereby

—form of
question.

made the duty of the county commissioners of said county to appoint a day within that time for meetings to vote thereon ; and to notify the selectmen of towns and assessors of plantations thereof, leaving a sufficient time for calling said meetings in the usual form for town meetings. Said commissioners shall cause to be prepared printed forms for the warrants and returns of said meetings and transmit them with their notifications to town and plantation officers, as above prescribed.

SECT. 3. The selectmen of towns and assessors of plantations in said county shall call meetings on the day appointed, by issuing and posting warrants therefor as for other town meetings. No such meeting shall be opened before ten o'clock in the forenoon or later than one o'clock in the afternoon and the polls shall be kept open until five o'clock in the afternoon and then be closed.

Meetings, how called and held.

When polls shall be open.

SECT. 4. At said meetings the vote shall be taken by printed or written ballots, and those in favor of said proposition shall vote "yes" and those opposed shall vote "no," and the ballots cast shall be sorted and counted and the vote declared in open meeting. The municipal officers shall preside as at state elections, and make return thereof to the county commissioners by depositing in some post office in said county, within twenty-four hours after the close of said poll, their return of the votes cast, post paid, directed to the clerk of courts at Houlton in said county, to be transmitted by mail, or personally deliver the same to said clerk within that time.

How vote shall be taken, and counted.

—return shall be made to Co. commissioners.

SECT. 5. The county commissioners of said county shall meet at the court house in Houlton, ten days after said meetings, and canvass the returns and declare the result, and the result shall then be recorded by the clerk of courts and be certified on the record by said commissioners and clerk, which said record shall be the only record required of the vote cast under this act, and in case a majority of the ballots cast and returned as aforesaid, are in favor of said proposition, said commissioners shall carry out the provisions of this act, as ratified by such vote in the manner hereinafter provided. But if a majority of the ballots cast and returned as aforesaid are opposed to said proposition, then after the expiration of six

Shall be canvassed, and result declared.

—if proposition is not carried, another vote may be taken in six months.

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months from the date of said first meeting, said commissioners upon the written application of one hundred or more legal voters residing in said county, shall appoint a second day for meeting to vote upon said proposition, in the same manner hereinbefore provided for, but no more than two votes shall be thus taken upon this proposition.

Commissioners shall subscribe for stock, if proposition is adopted.

—how payments shall be made.

—how orders shall be issued.

SECT. 6. In case said proposition is adopted as hereinbefore provided, and accepted by said railroad company, then said commissioners shall cause subscription to be made in behalf of said county, for preferred stock of said Bangor and Aroostook Railroad Company to the amount authorized by this act, and payment therefor shall be made at the option of the county commissioners, either in cash, or bonds of the the county bearing interest at the rate of five per cent per annum, by the county treasurer to the treasurer of said railroad company, upon the orders of said commissioners, which shall be issued as follows: After the commencement of actual work upon the Ashland branch, so called, of said railroad, which branch said company is authorized to build, from a point of junction with the main line of the Bangor and Aroostook Railroad at or near Oakfield in said county, to and into the village of Ashland, whenever said railroad company shall have graded any section of five miles of said branch, payment shall be due and be made at the rate of four thousand dollars per mile of such branch so graded, and for each payment thus made, shares of said preferred stock of said Bangor and Aroostook Railroad Company shall be issued and delivered to said county treasurer to the same amount in par value thereof which shall be issued to the inhabitants of said county. And whenever said railroad company shall have graded any section of five miles of its main line north of Caribou village, which main line is to extend to the Saint John river in the town of Van Buren in said county, commencing at a point where the aid authorized by chapter two hundred and fifty of the private and special laws of eighteen hundred and ninety-one is exhausted, then also payment shall be due and be made at the rate of four thousand dollars per mile of said main line so graded, and for each payment thus made, shares of said preferred stock of said Bangor and Aroostook Railroad Company shall be issued and delivered to said county treasurer to the same

amount in par value thereof which shall be issued to the inhabitants of said county. And if the last section of the Ashland branch or of the main line north of Caribou village or both of them shall contain less than five miles, payment shall be made on such section or sections at the rate of four thousand dollars per mile, whatever the length of such section.

SECT. 7. In case said proposition is adopted and accepted as hereinbefore provided, then the treasurer of Aroostook county is hereby authorized to procure by loan on the faith and responsibility of said county, money for the use of said county to carry into effect the provisions of this act; and for that purpose, notes or obligations signed by the said treasurer and countersigned by the chairman of the board of county commissioners, shall be issued with interest bearing coupons attached, for the payment thereof, at such times as they, the said commissioners, shall deem expedient, but such loan shall not exceed the amount authorized by this act.

Co. treasurer authorized to procure a loan.

SECT. 8. The preferred stock thus subscribed and paid for by the county of Aroostook shall not be voted upon in stockholders' meetings of such company upon any question.

Preferred stock shall not be voted on.

SECT. 9. Whenever the county of Aroostook may determine to make a sale of its holdings of preferred stock which it may acquire under the provisions of this act, the railroad company shall be entitled to the first option and right to purchase said preferred stock at any given price; and unless a prior sale shall have been made, the said corporation shall have the right at the maturity of the county bonds hereinbefore provided for, to purchase said preferred stock by reimbursing to the county all money advanced and paid by said county therefor, together with legal interest on all sums paid on account of accrued interest coupons, deducting therefrom the proper allowances for dividends received by said county upon said preferred stock; and whenever said preferred stock shall be thus acquired by said corporation, it shall be canceled, and the right to issue preferred stock shall cease.

—corporation shall have right to purchase preferred stock.

SECT. 10. The Bangor and Aroostook Railroad Company is hereby authorized and empowered to make and issue preferred stock to an amount not exceeding two hundred and twenty-eight thousand dollars in addition to the common stock of

Co. may issue preferred stock.

CHAP. 194 said company and in addition to the preferred stock which it was authorized to issue by said chapter two hundred and fifty of the private and special laws of eighteen hundred and ninety-one, and chapter three hundred and twelve of the private and special laws of eighteen hundred and ninety-one, for the purpose of carrying out the provisions of this act.

Amount Co.
shall
subscribe for,
limited.

SECT. 11. In any event, said county shall not subscribe for more than two hundred and twenty-eight thousand dollars of such preferred stock in addition to the amount subscribed by virtue of said chapter two hundred and fifty of the private and special laws of eighteen hundred and ninety-one, and in case said branch and said extension of the main line of said railroad are not long enough to require at the rate of four thousand dollars per mile, the full amount of two hundred and twenty-eight thousand dollars, then only so much of said amount as may be required to assist at the rate of four thousand dollars per mile is to be so taken in preferred stock by said county.

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

Approved March 14, 1895.

Chapter 194.

An Act to divide the town of Cape Elizabeth in the county of Cumberland, and to fix the names of the respective portions thereof.

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

Set off.

—boundaries.

SECT. 1. All that part of the town of Cape Elizabeth, which lies southerly of the following described line, namely: Beginning on the northeasterly side of said town near the southerly side of Danforth cove and at a point on the sea shore where the division line between said Danforth cove property on the north and certain Owen property on the south meets tide water, thence westerly on said division line to the easterly side line of the Point road, thence westerly across said road to the division line between land formerly of the estate of Samuel B. Angell on the north and land of the heirs of the late Charles W. Goddard on the south and running westerly along said division line and crossing Cape Cottage road to the westerly corner of land of Samuel B.