

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE

1899.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1899.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1899.

CHAP. 174

special laws
1897,
amended.

—terms.

and ninety-seven, is hereby amended by striking out the words "third Tuesday" and inserting in place thereof the words 'first and third Tuesdays;' so that the first clause of said section shall read as follows: 'The court shall be held on the first and third Tuesdays of each month.'

Approved March 16, 1899.

Chapter 174.

An Act to carry into effect the provisions of Chapter two hundred and fifty of the Private and Special Laws of eighteen hundred and ninety-one, and also of Chapter one hundred and ninety-three of the Private and Special Laws of eighteen hundred and ninety-five, providing for the building of a Railroad from Van Buren to Caribou.

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

Preamble.

Section I. Whereas, by virtue of an act of the legislature entitled "An Act to empower the county of Aroostook to aid in the construction of railroad through such county, and to acquire and hold preferred stock of the company building such road," approved March nineteen, eighteen hundred and ninety-one, and of another act additional thereto, entitled "An Act to empower the county of Aroostook to further aid in the construction of the Bangor and Aroostook railroad," approved March fourteen, eighteen hundred and ninety-five, the sums of five hundred thousand dollars and two hundred twenty-eight thousand dollars respectively were devoted by the inhabitants of Aroostook county to the purchase of preferred stock, in pursuance of said acts, of which sums there has been expended some six hundred thirteen thousand dollars, and all of the line provided for in said acts has been built except the part between Caribou and Van Buren, a distance of some twenty-two miles, more or less; it is hereby enacted that the Van Buren and Caribou Railroad Company be and is hereby subrogated as to so much of the line as remains to be built, namely: The part between Van Buren and Caribou, to all the rights and privileges of every kind, name and nature which were granted to the Bangor and Aroostook Railroad Company under the acts and votes aforesaid, both as to the receiving of the county aid as provided for in the said acts, and as to the terms and conditions thereof, and to all the rights and privileges conferred upon said company, as far as the same are or may be made applicable; the terms of the first of the above named acts to be applicable to so much of the line as shall receive its aid under that act, and the terms of the second act to be applicable to so much of said line as receives its aid under that act; and said Van Buren and

Van Buren
and Caribou
railroad, sub
rogated, as
to line re-
maining un-
built.

Caribou Railroad Company shall also be subject to all the duties and obligations of every kind, name and nature, whether the same be therein specified or not, that the Bangor and Aroostook Railroad Company would have been subject to had the portion of the line contemplated in this act been built by said company. And the Van Buren and Caribou Railroad Company is hereby granted until August one, nineteen hundred, to file its location, and until May one, nineteen hundred and one, to begin the construction of its road, and until January one, nineteen hundred and two, to complete the same.

Section 2. The Bangor and Aroostook Railroad Company is hereby given until October one, nineteen hundred to extend its road from the northern terminus of the main line of its present railroad near its round house in Caribou to the Saint John river in the village of Van Buren in the town of Van Buren for the running of trains, and until September one, eighteen hundred ninety-nine to commence actual work on such extension, and unless such actual construction is commenced on or before September one, in the year of our Lord eighteen hundred ninety-nine, and said company shall expend at least ten thousand dollars in such actual construction on or before January one, in the year of our Lord nineteen hundred, and shall complete such extension for the running of trains on or before October one, in the year of our Lord nineteen hundred, then in either event the right of said company to build from Caribou to the Saint John river in the village of Van Buren in the town of Van Buren, shall become null and void.

Section 3. If the Bangor and Aroostook Railroad Company shall commence the actual construction of such extension of its road on or before September one, eighteen hundred and ninety-nine, and shall expend in such actual construction at least ten thousand dollars on or before January one, nineteen hundred, and shall complete such extension for the running of trains on or before October one, in the year of our Lord nineteen hundred, then for and during a period of twenty years from and after the passage of this act no railroad shall be built in this state parallel to said extension which shall at any point on its line be less than fifteen miles from the line of such extension as finally built. It being the intention of this section to prevent the paralleling of said extension but not to prohibit the building of any railroad which may in good faith be built to connect with or cross said extension without running in the same general direction.

Section 4. Said Bangor and Aroostook Railroad Company is hereby authorized to make, issue and secure by first mortgage of said extension of its road from Caribou to the Saint John

Company subject to all duties of Bangor and Aroostook railroad company.

—time in which construction must begin.

Bangor and Aroostook railroad company, given until October 1, 1900, to extend line.

—when right to build becomes void.

Exclusive right granted, if road is completed in 1900.

—to prohibit building of parallel road.

May issue bonds and mortgage extension.

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river in the village of Van Buren in the town of Van Buren and all the equipment, appurtenances, rights, privileges and franchises appurtenant thereto bonds, in such sums and to such an amount as the stockholders and directors may determine.

If construction of extension is begun on or before September 1, 1899, sections 1 to 12, inoperative.

Section 5. If said Bangor and Aroostook Railroad Company shall commence the actual construction of such extension of its road from the northern terminus of the main line of its present railroad near its round house in Caribou to the Saint John river in the village of Van Buren in the town of Van Buren, on or before September one, eighteen hundred and ninety-nine, and shall expend in such actual construction at least ten thousand dollars on or before January one, nineteen hundred, and shall complete such extension for the running of trains on or before October one, nineteen hundred, then sections one, six, seven, eight, nine, ten, eleven and twelve of this act shall be inoperative and of no effect.

Aid to railroad, Van Buren to Caribou, in case of failure to build extension.

Section 6. If the Bangor and Aroostook Railroad Company does not commence the actual construction of such extension of its road from Caribou to the Saint John river in the village of Van Buren in the town of Van Buren, on or before September first, eighteen hundred and ninety-nine, then there shall be submitted to the voters of the several towns and organized plantations in Aroostook county on the second day of October, eighteen hundred and ninety-nine, the following proposition: 'Shall the county of Aroostook subscribe for and purchase preferred stock of the Van Buren and Caribou Railroad Company to the amount of the unexpended balance of the subscription to the preferred stock of the Bangor and Aroostook Railroad Company authorized under chapter two hundred and fifty of the private and special laws of eighteen hundred and ninety-one, and under chapter one hundred and ninety-three of the private and special laws of eighteen hundred and ninety-five.' If said Bangor and Aroostook Railroad Company shall commence such actual construction on or before September one, eighteen hundred and ninety-nine, and shall not expend at least ten thousand dollars in such actual construction on or before January one, nineteen hundred, then said proposition shall be so as aforesaid submitted January twenty-nine, nineteen hundred; and if said Bangor and Aroostook Railroad Company shall commence such actual construction on or before September one, eighteen hundred and ninety-nine, and shall expend ten thousand dollars or more in such actual construction on or before January one, nineteen hundred, and shall not complete such extension for the running of trains on or before October one, nineteen hundred, then said proposition shall be so as aforesaid submitted on October thirty-

—proposition submitted to people.

one, in the year of our Lord nineteen hundred. And it is hereby made the duty of the county commissioners of Aroostook county, if the occasion arises for any of the reasons aforesaid, to call meetings as aforesaid to vote on said proposition, and in all other respects the same manner of calling the meetings and form of voting, returning the vote, counting and declaring the same shall be observed and followed as is provided in chapter two hundred and fifty of the private and special laws of eighteen hundred and ninety-one, sections two, three, four and five. But if a majority of the ballots cast and returned as aforesaid are opposed to said proposition then after the expiration of six months from the time of holding any of such meetings, the county commissioners of Aroostook county, upon the 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 taken on said proposition.

—manner of calling meetings.

Section 7. If said proposition is adopted as hereinbefore provided the county commissioners of Aroostook county shall subscribe to the preferred stock of the Van Buren and Caribou Railroad Company, to the amount of the unexpended balance of the subscriptions of Aroostook county to the preferred stock of the Bangor and Aroostook Railroad Company in accordance with the terms of said vote; and payment of the preferred stock of the Van Buren and Caribou Railroad Company shall be made at the option of the county commissioners of Aroostook county, either in cash or bonds of 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 lines of said railroad between Van Buren village and Caribou village, whenever said railroad company shall have graded a section of five miles of its line to the satisfaction of the county commissioners, payment shall be due and made at the rate of four thousand dollars per mile, and if the last section thus graded shall contain, less than five miles, payment shall be made on such section at the rate of four thousand dollars per mile. And for each payment thus made shares of such preferred stock of the Van Buren and Caribou Railroad shall be issued to the county treasurer of said county, to the same amount in par value thereof which shall be issued to the inhabitants of said county, and said preferred stock shall be entitled to receive dividends at the rate of five per cent per annum for each year that stock dividends are earned by said railroad before any dividends shall be declared or paid on the other stock of said railroad company.

If proposition is adopted, county commissioners shall subscribe to stock.

—how stock may be paid for.

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When company makes sale of holdings, railroad company shall be entitled to first option to purchase.

Company may purchase stock, by reimbursing county.

Van Buren and Caribou railroad company authorized to issue preferred stock.

Treasurer of Aroostook county, authorized to procure a loan.

—may issue interest bearing bonds.

Company authorized to contract to transport troops and munitions of war.

Section 8. 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 herein provided for, to purchase said preferred stock, by reimbursing to the county all money advanced and paid by said county therefor, together with the 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.

Section 9. The Van Buren and Caribou Railroad Company is hereby authorized to issue preferred stock to an amount not exceeding ten thousand dollars per mile for the purpose of carrying out the provisions of this act, and for the construction and equipment of its railroad, and all other purposes connected therewith, and said railroad company is hereby authorized to issue bonds bearing interest at the rate of five per cent per annum, of the denomination of one hundred, two hundred, five hundred and one thousand dollars, secured by mortgage upon said railroad and all its property and franchises to an amount not exceeding fifteen thousand dollars per mile of the road provided for in this act, and in no event to an amount exceeding the actual cost of the road.

Section 10. The county treasurer of Aroostook county is hereby authorized to procure by loan on the faith and responsibility of the 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 treasurer and countersigned by the chairman of the board of county commissioners, shall be issued with interest bearing coupons attached, payable semi-annually for the payment thereof at such times as they, the commissioners, shall deem expedient, but such loans shall not exceed the amount of the balance remaining unexpended of the amount provided for by the acts referred to in the first section, nor shall interest be at a rate exceeding five per cent.

Section 11. Said Van Buren and Caribou Railroad Company is hereby authorized to enter into a contract with the state of Maine for the transportation over its railroad as far as constructed, of troops and munitions of war in times of war, insurrection or civil commotion, free of charge other than herein provided for a period of twenty years from and after the approval

of this act and to receive therefor from the state annually for said term of twenty years, an amount which shall equal ninety-five per cent of the taxes collected in the corresponding year by said state from said corporation upon its road and other real or personal property, including its stock and franchises. Whenever such contract shall be prepared and signed by the president and directors of said railroad company and approved by a majority of its stockholders at a meeting duly called for that purpose and shall be presented to the state treasurer, it is hereby made the duty of said treasurer to execute said contract in behalf of said state, and thereafter, said treasurer shall pay over to said corporation each year during the term of said contract, the amount provided in this section, and as part of the consideration of said contract the bonds issued by said county and said railroad to aid in the construction thereof, shall not be liable to state, county or municipal taxation for a period of twenty years from their issue.

Section 12. If the Van Buren and Caribou Railroad Company shall build a line of railroad from Caribou to the village of Van Buren under the rights given to it in this act, then for and during a period of twenty years from and after the passage of this act no railroad shall be built in this state parallel to said road which shall at any point on its line be less than fifteen miles from the line of the Van Buren and Caribou Railroad Company as finally built. It being the intention of this section to prevent the paralleling of the line of the Van Buren and Caribou Railroad, but not to prohibit the building of any railroad which may in good faith be built to connect with or cross said railroad without running in the same general direction.

Exclusive right granted for twenty years.

—to prohibit parallel roads.

Approved March 16, 1899.

Chapter 175.

An Act to amend Chapter three hundred and twenty-nine of the Private and Special Laws of eighteen hundred and ninety-one, relating to the Municipal Court of Waterville, as amended by Chapter three hundred and twenty-five of the Private and Special Laws of eighteen hundred and ninety-seven.

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

Section 1. Chapter three hundred and twenty-nine of the private and special laws of eighteen hundred and ninety-one, as amended by chapter three hundred and twenty-five of the private and special laws of eighteen hundred and ninety-seven is hereby amended by striking out the words "city of Waterville, Oakland, Winslow, Benton, Clinton, Vassalboro or Albion" and substituting therefor the words 'county of Kennebec.'

Chapter 329, special laws 1891, as amended by chapter 325, laws 1897, further amended.

—jurisdiction extended.

Section 2. This act shall take effect when approved.

Approved March 16, 1899.