

# 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

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

---

Published by the Secretary of State, agreeably to Resolves of June 28,  
1820, February 18, 1840, and March 16, 1842.

---

AUGUSTA  
KENNEBEC JOURNAL PRINT  
1903

---

---

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

---

---

one, two and three years, respectively from the next annual meeting of said district.

Section 16. This act shall take effect when approved.

Approved February 6, 1903.

## Chapter 12.

An Act to grant additional powers to the Portsmouth, Kittery and York Street Railway.

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

Section 1. The Portsmouth, Kittery and York Street Railway for the purpose of improving the alignment of its road, for changing the grades thereof, for switches, turnouts, side tracks, spur tracks, stations, car barns, gravel pits or power houses, may purchase and take, hold as for public uses any land and all materials in and upon it, except meeting houses, dwelling houses, public or private burying grounds, or land already devoted to any railroad use and may excavate or construct in, through or over such land to carry out its purposes, but the land so taken for switches, spur tracks and side tracks shall not exceed four rods in width unless necessary for excavation, embankment or material. All lands so taken except for switches, turnouts and side tracks shall be subject to the provisions of section sixteen of chapter fifty-one of the revised statutes. It may enter upon such lands to make surveys and locations, and plans of all locations so taken shall be filed with the clerk of courts in the county of York, and when so filed such land shall be deemed and treated as taken. All damages therefor shall be estimated and paid as in the case of taking lands for railroads.

May take land.

—damages, how determined.

Section 2. The Portsmouth, Kittery and York Street Railway is hereby authorized to sell or lease its property and franchises to any street railroad whose lines as constructed or chartered would form connecting or continuous lines with the lines of said Portsmouth, Kittery and York Street Railway as constructed or chartered, and in such case the corporation so purchasing or leasing such property and franchises shall be entitled to all the privileges and be subject to all appropriate conditions and limitations contained in the charter and franchise of said Portsmouth, Kittery and York Street Railway. Any street railroad company whose lines as constructed or chartered would form connecting or continuous lines with the lines of the said Portsmouth, Kittery and York Street Railway as constructed or chartered is hereby authorized so to purchase or lease the property and franchises of the said Portsmouth, Kittery and York Street Railway.

May sell or lease its property to connecting lines

—privileges and limitations.

## CHAP. 12

May consolidate with, or acquire connecting lines.

Section 3. The said Portsmouth, Kittery and York Street Railway is further authorized to consolidate with or to acquire by lease, purchase or otherwise lines, property and franchises of any street railroad or street railroads whose lines as constructed or chartered would form connecting or continuous lines with the lines of the said Portsmouth, Kittery and York Street Railway as constructed or chartered, and in such case the Portsmouth, Kittery and York Street Railway shall be entitled to all the privileges and be subject to all appropriate conditions and limitations contained in the charters and franchises thus united with or acquired. Any street railroad company whose lines as constructed or chartered would form connecting or continuous lines with the lines of the Portsmouth, Kittery and York Street Railway as constructed or chartered is hereby authorized to consolidate with or to lease or to sell its lines, property and franchises as in this section authorized.

Proceedings pending at time of authorized transfer, may be defended by corporation so acquiring the property.

Section 4. All proceedings, suits at law or in equity which may be pending at the time of any transfer authorized by this act to which any corporation so transferring its property and franchises may be a party may be prosecuted or defended by the corporation so acquiring the same in like manner and with like effect as if such transfer had not been made. All claims, contracts, rights and causes of action of or against any corporation so selling or leasing, at law or in equity, may be enforced by suit or action to be begun or prosecuted by or against the corporation so acquiring property and franchises as aforesaid.

Liability of transferee.

Section 5. When any transfer authorized by this act is carried out and fully completed the corporation acquiring any franchise hereunder shall be liable for the then legally existing debts and obligations of the corporation so making such transfer.

Stock and bonds may be issued, secured by mortgage for purposes of this act.

Section 6. Any corporation acquiring property and franchises by virtue of this act may issue its stock to an amount sufficient therefor, and also its bonds secured by appropriate mortgages upon its property and franchise in such amounts as may be required for the purposes of this act, and thereafterwards may issue its stock and bonds in payment and exchange for the stock, bonds, franchises and property of the corporation making any transfer authorized by this act, in such manner and in such amounts as may be agreed upon.

May issue bonds for funding floating debt, etc.

Section 7. The said Portsmouth, Kittery and York Street Railway for the purpose of funding its floating debt, for extensions, additions and improvements, and for the purposes of this act may issue its bonds from time to time as may be deemed expedient, and in such amounts as may be required therefor and secure the same by appropriate mortgages upon its franchise and property.

## CHAP. 13

Section 8. The locations of all rails, posts, wires and fixtures within the limits of any street, road or way as now established by said Portsmouth, Kittery and York Street Railway are hereby confirmed and made valid.

Location of rails, posts, wires and fixtures confirmed.

Section 9. This act shall take effect when approved.

Approved February 11, 1903.

### Chapter 13.

An Act to authorize the Kennebec Light and Heat Company to issue bonds.

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

Section 1. The Kennebec Light and Heat Company is hereby authorized and empowered to issue bonds for the payment of its indebtedness and for the further construction and improvement of its plant, for such an amount and upon such rate and time as it may deem expedient and necessary, not to exceed the sum of one hundred thousand dollars, and may secure the same by a mortgage or deed of trust of its franchise or franchises, property and estate owned by it or to be hereafter acquired by said corporation, but said mortgage shall not diminish the security of its bonds heretofore issued by said corporation remaining unpaid.

Kennebec Light and Heat Company authorized to issue bonds.  
—not to exceed one hundred thousand dollars.  
—may secure same by mortgage.  
—said mortgage shall not diminish security of bonds heretofore issued.

Section 2. This act shall take effect when approved.

Approved February 11, 1903.

### Chapter 14.

An Act to ratify the mortgage of the Fish River Railroad.

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

Section 1. The mortgage of the Fish River Railroad, made by the Fish River Railroad Company to the Central Trust Company, dated January one, in the year of our Lord nineteen hundred and two, is hereby made valid, ratified and confirmed.

Mortgage of Fish River Railroad, made valid.

Section 2. This act shall take effect when approved.

Approved February 11, 1903.