

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

shall render an account monthly, or oftener if required, of all receipts, expenditures and outstanding bills.

Section 7. The weekly pay roll and all bills not passed upon by the board shall be approved by the chairman of the board, or in his absence by some member designated by him before being paid from the city treasury.

Approval of pay roll and bills.

Section 8. The compensation of the superintendent of streets and sewers shall be fixed by the board and shall be paid from the appropriation made for the work of the board.

Compensation of superintendent of streets and sewers.

Section 9. The board shall, at the beginning of each financial year, submit to the city council for its guidance in making appropriations, a statement of work proposed to be done in its department, with approximate estimates of cost, and such other information regarding its work as may seem to them proper or the city council may require, and shall at the close of the year make a full, detailed report to the city council of receipts and expenditures and of work done; said board shall have no authority to make expenditures in excess of the amount appropriated for its use by the city council, and no part of said appropriation shall be paid to any member of the board for services as a member of the board.

Board shall submit to city council a statement of proposed work.

—with estimates of cost.

—at close of year shall make full report.

—shall not exceed appropriation.

Section 10. This act shall take effect when accepted by the city council of the city of Auburn, and the first election of commissioners hereunder shall be held on the third Monday of March, nineteen hundred three, or as soon thereafter as practicable, if this act shall then have been accepted; otherwise, immediately upon such acceptance. All other acts or parts of acts now in force which conflict with this act, are hereby repealed.

Provisions for acceptance of this act.

Section 11. This act shall take effect when approved so far as necessary to authorize the city council of the city of Auburn to take action relative to its acceptance.

Approved March 10, 1903.

Chapter 138.

An Act to incorporate the Maine Midland Railroad Company.

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

Section 1. Edward P. Borden, of Philadelphia, in the state of Pennsylvania, Thomas B. Wanamaker, of Philadelphia, state of Pennsylvania, William P. Oglesby, of Philadelphia, state of Pennsylvania, Charles Eisenlohr, of Philadelphia, state of Pennsylvania, Arthur C. Denniston, of Philadelphia, state of Pennsyl-

Corporators.

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—corporate name. vania, William D. Hewitt, of Burlington, state of New Jersey, Leonard Atwood, of Farmington, in the state of Maine, Edmond Eaton, of Livermore Falls, in the state of Maine, Philip H. Stubbs, of Strong, in the state of Maine, their associates, successors and assigns, are hereby made a corporation by the name of the Maine Midland Railroad Company, for the purpose of buying or leasing the property, capital stock, rights, privileges, immunities and franchises of the Wiscasset, Waterville and Farmington Railroad Company, and of thereafterwards exercising the powers of this act.

Capital stock. Section 2. The capital stock of such corporation shall consist of not more than twenty thousand shares, of the par value of one hundred dollars each, the amount to be fixed from time to time by the corporation. The immediate government of its affairs shall be vested in a board of directors to consist for one year from the time of the incorporation of said company of the corporators herein named and subsequently thereto said directors shall be chosen in accordance with the by-laws made and provided by said company, which by-laws, not inconsistent with law, said corporation shall have the power to make, ordain and publish.

—board of directors. Section 3. The said corporation is authorized to hold for its purposes aforesaid so much real and personal estate as may be necessary and convenient therefor.

May hold real and personal estate. Section 4. The said corporation is further authorized to purchase or lease the property, capital stock, rights, privileges, immunities and franchises of the Wiscasset, Waterville and Farmington Railroad Company upon such terms as may be agreed upon; and upon such purchase or lease, the said Maine Midland Railroad Company shall have, hold, possess, exercise and enjoy all the locations, powers, privileges, rights, immunities, franchises, property and assets which at the time of such transfer shall then be had, held, possessed or enjoyed by the corporation so selling or leasing, and shall be subject to all the duties, restrictions and liabilities which the said Wiscasset, Waterville and Farmington Railroad Company shall then be subject to by reason of any contract, charter, or general or special law, or otherwise.

May purchase Wiscasset, Waterville and Farmington R. R. Co. Section 5. The Wiscasset, Waterville and Farmington Railroad Company is hereby authorized to sell or lease its property, capital stock, rights, privileges, immunities and franchises to the said Maine Midland Railroad Company, upon such terms as may be mutually agreed upon, but any such sale or lease shall be made subject to all the outstanding liabilities of the said Wiscasset, Waterville and Farmington Railroad Company. In case of such sale or lease the said Maine Midland Railroad Company may

Wiscasset, Waterville and Farmington R. R. Co. may sell.

mortgage the franchises and property so acquired for the security of any bonds or other indebtedness authorized by this act, but all such mortgages shall be subject to the outstanding bonds or other indebtedness of the said Wiscasset, Waterville and Farmington Railroad Company existing at the time of said sale or lease.

Section 6. All proceedings, suits at law or in equity, which may be pending at the time of such transfer, to which the said Wiscasset, Waterville and Farmington Railroad Company may be a party, may be prosecuted or defended by the said Maine Midland Railroad Company 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 said 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 said Maine Midland Railroad Company.

Pending proceedings, how prosecuted and defended.

Section 7. The said Maine Midland Railroad Company may issue its stocks and bonds in payment and exchange for the stocks, bonds, franchises and property of the Wiscasset, Waterville and Farmington Railroad Company as authorized by this act, in such manner and in such amounts as may be agreed upon.

May issue its stocks and bonds.

Section 8. When the transfer authorized by this act is carried out and fully completed, the Maine Midland Railroad Company shall be liable for the then existing legal debts and obligations of the Wiscasset, Waterville and Farmington Railroad Company.

Liability for debts after transfer.

Section 9. Upon and after completion of the aforesaid sale or lease the said Maine Midland Railroad Company shall be and hereby is authorized to locate, construct, equip, maintain and operate a railroad commencing at some point near the village of Farmington Falls, at or near the present track or road bed of the Wiscasset, Waterville and Farmington Railroad Company near said village of Farmington Falls, thence through the towns of Farmington, Chesterville, Fayette and East Livermore, a distance of seventeen and a half miles, to some point in the village of Livermore Falls to connect with the Portland and Rumford Falls Railway, with all the powers and subject to all the liabilities incident to a railroad corporation under the general laws of the state. Said location in Livermore Falls village after crossing the Maine Central Railroad and the manner and conditions of its connection with the Portland and Rumford Falls Railway shall be under the direction of and subject to the approval of the railroad commissioners.

May extend line.

—through certain towns.

—to connect with Portland and Rumford Falls Ry.

Section 10. The said corporation is further authorized to carry on the business of an express company upon its own lines, and also to maintain and operate telephone and telegraph lines

Express, telegraph and telephone business, to do, authorized.

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-hotels, etc.

for public use along its location and to its principal offices, as the same may be located. It may also erect and maintain hotels, cottages and pleasure grounds and own and operate steamboats upon any lakes and ponds near its location, but the right to take land or other property shall not extend to property to be used for purposes authorized by this section, and all such land or property so to be used shall be acquired by purchase and in no other way.

Toll granted.

Section 11. A toll is hereby granted for the benefit of said corporation upon all passengers and property which may be carried over its railroads or in any of its steamboats, and upon all telegraph and telephone messages which may be transmitted over its lines, at such rates as may be established by its directors, subject to such general laws as are or may be from time to time established.

Connecting lines, may purchase.

Section 12. The said corporation is authorized to purchase or lease the property and franchises of any connecting railroad corporation in the state, or to purchase and hold the stock and bonds of any such corporation and all such connecting corporations, or any corporation, association or person claiming rights under the stock, bonds, mortgages or franchises of any such corporation are hereby authorized to make such sales or leases, and all such property, franchises, stocks and bonds so acquired may be pledged or mortgaged to secure the bonds herein authorized. Said corporation is hereby authorized to make connection with any other railroad or railroads on such terms as may be mutually agreed upon and as may be provided by the general laws of the state, and to lease its property and road either before or after it shall have been completed upon such terms as it may determine, subject in all cases to the approval of a majority of the outstanding stock in each corporation.

Location shall be filed.

Section 13. Said corporation shall organize and the location of its railroad according to actual survey shall be filed with the county commissioners of Franklin county and of Androscoggin county on or before the first day of December, in the year of our Lord nineteen hundred and three, and the said corporation shall be and hereby is given until the thirty-first day of December, in the year of our Lord nineteen hundred and five, within which to build and operate its said railroad.

May receive aid from towns, etc.

Section 14. The said company may receive from any town or from any person or body corporate, municipal or politic, aid towards the construction, equipment and maintenance of the railway line or the objects contemplated by this act, by the way of gifts, subsidies or bonuses in land, money or securities, or by loans or by the way of guaranty, or by providing rights of way

for such lines or any part thereof or objects free of expense to the company, upon such terms or conditions as may be agreed upon.

Section 15. The directors may make and issue as paid up stock shares in the company, and may allot and hand over such shares, and also mortgage bonds of the company, in payment of right of way, plant, rolling stock or materials of any kind, and also for services of, or work done, by contractors, engineers, solicitors or other persons who may have been, are, or may be engaged in promoting the undertaking and interests of the company, and in whole or partial payment for the purchase, lease or other acquisition of railways, lands and other property; and such allotments of stock or bonds shall be binding on the company, and the paid up stock shall not be assessable thereafter for calls or other purposes.

Paid up stock and mortgage bonds.

Section 16. The said corporation may issue its bonds from time to time upon such rates and times as may be deemed expedient, and in such amounts as may be required for the purposes of this act, and secure the same by appropriate mortgages upon its franchises and property.

May issue bonds.

Section 17. The first meeting of said corporation may be called by any two corporators within named by notice thereof in writing signed by said two corporators, and given in hand or mailed to each of the other corporators at least ten days before said meeting, and any corporator may act at such meeting by written proxy.

First meeting.

Section 18. Nothing in this act shall be construed as affecting the rights as now provided by law of minority stockholders in any company or corporation to be affected hereby.

Minority stockholders.

Section 19. This act shall take effect when approved.

Approved March 10, 1903.

Chapter 139.

An Act relating to the jurisdiction of the Municipal Court of the City of Biddeford.

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

Section 1. The jurisdiction of the municipal court of the city of Biddeford in civil causes is hereby enlarged from one hundred dollars, as now established by law, to two hundred dollars.

Jurisdiction enlarged.

Section 2. In taxing costs in all civil suits in said court, where issue has been joined, one dollar shall be allowed for trial instead of the sums now fixed by law.

Costs in civil suits.