

# 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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Published by the Secretary of State, agreeably to Resolves of June 28,  
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AUGUSTA  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

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The approval of this act in the manner provided by this section shall constitute an acceptance by said water district of the methods of appraisal prescribed by section seven hereof, and shall bind said water district and said water company thereto.

Section 14. Sections two, three and four of this act shall be inoperative, null and void, unless the said water district shall first acquire by purchase, or by the exercise of the right of eminent domain, as in this act provided, the plant, property and franchises, rights and privileges now held by the Maine Water Company within said district.

Sections 2, 3  
and 4  
inoperative  
until  
purchase, etc.,  
is made.

Section 15. All costs and expenses arising under the provisions of this act shall be paid and borne as directed by the court in the final decree provided by section seven.

Costs and  
expenses,  
how borne  
and paid.

Approved March 11, 1903.

## Chapter 159.

An Act to incorporate the Kennebec Valley Railroad Company.

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

Section 1. William M. Ayer and A. R. Small both of Oakland, Maine, and R. W. Dunn and William T. Haines, both of Waterville, Maine, their associates, successors and assigns are hereby made a corporation by the name of the Kennebec Valley Railroad Company, for the purpose of buying or leasing the property, capital stock, rights, privileges, immunities and franchises of the Somerset Railway, and of thereafter exercising the powers of this act.

Corporators.

—corporate  
name.

—purposes

Section 2. The capital stock of said corporation shall consist of not more than ten 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 be chosen as the by-laws of said corporation may provide, not in conflict with the general laws of the state, who shall hold their offices until others are chosen and qualified in their places. It shall have power to make, ordain and establish all necessary by-laws not inconsistent with said general laws.

Capital stock.

—board of  
directors.

—tenure.

—powers.

Section 3. The said corporation is authorized to hold for the purposes of this act 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,

Somerset Ry.  
may purchase  
property of.

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immunities and franchises of the Somerset Railway upon such terms as may be mutually agreed upon. And upon such purchase or lease the said Kennebec Valley 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 transfers shall then be had, held, and possessed or enjoyed by said Somerset Railway, and shall be subject to all the duties, restrictions and liabilities to which the said Somerset Railway shall then be subject by reason of any charter, contract or general or special law or otherwise.

Somerset  
Ry. may sell  
its property.

Section 5. The Somerset Railway is hereby authorized to sell or lease its property, capital stock, rights, privileges, immunities and franchises to the said Kennebec Valley Railroad Company or to any other connecting 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 Somerset Railway. In case of such sale or lease to the said Kennebec Valley Railroad Company it may 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 Somerset Railway existing at the time of said sale or lease.

Pending  
proceedings,  
how  
prosecuted  
or defended.

Section 6. All proceedings, suits at law or in equity, which may be pending at the time of any such sale or lease, to which the said Somerset Railway may be a party, may be prosecuted or defended by the said Kennebec Valley 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 Somerset Railway, at law or in equity, may be enforced by an action to be begun or prosecuted by or against said Kennebec Valley Railroad Company.

May issue  
stock and  
bonds.

Section 7. Said Kennebec Valley Railroad Company may issue its stock and bonds in payment and exchange for the stock, franchises and property of the Somerset Railway in such manner and in such amounts as may be agreed upon.

Existing  
debts, who  
liable for.

Section 8. When the transfer authorized by this act is carried out and fully completed the Kennebec Valley Railroad Company shall be liable for the then legal existing debts and obligations of said Somerset Railway.

Location of  
road.

Section 9. Upon and after the completion of the aforesaid sale or lease the said Kennebec Valley Railroad Company shall be and hereby is authorized to locate, construct, equip, maintain and operate a railroad from some point in the town of Bingham, in the county of Somerset, by the most feasible route within the

valley of the Kennebec river, by such course within said territory to some point or place on the west shore of Moosehead lake, as the directors of said corporation in the exercise of their best judgment shall deem most favorable and best calculated to promote public convenience, with all the powers and subject to all the liabilities incident to railroad corporations under the general laws of the state.

Section 10. Said corporation is further authorized to carry on the business of an express company upon its own lines, and also to maintain and operate telegraph and telephone lines 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, own and operate steamboats upon any lakes and ponds near its location, acquire and own interests in timber lands and water powers, operate and manage the same either alone or in connection with others, build dams, improve streams and do all things necessary, proper and convenient in connection with the ownership and management of timber lands or water powers, but the right to take land or other property shall not extend to property to be used for the purposes authorized by this section, except for telegraph and telephone lines, and all such land or property so to be used shall be acquired by purchase and in no other way.

May carry on  
express  
business.

—may own  
steamboats.

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 telephone and telegraph 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 from time to time be established.

Tolls granted

Section 12. Said corporation may make connections with any other railroad or railroads on such terms as may be mutually agreed upon. It may also sell or lease its railroad, franchises, and property, either before or after its road 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.

Connections  
with other  
railroads.

Section 13. Said corporation may purchase or lease the property and franchises of any connecting railroad in this state, or purchase or hold the stock and bonds of any such corporation, and all such connecting corporations or any corporation, association or persons claiming rights in stock, bonds, mortgages or franchises of any such corporation are hereby authorized to make such sale or lease. All such property, franchises, stock, bonds or leasehold interests so acquired may be pledged or

May acquire  
connecting  
railroads.

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mortgaged to secure the bonds herein authorized, or any other lawful indebtedness.

Location shall be filed on or before December 1, 1906.

Section 14. Said corporation shall organize, and the location of its railroad, according to actual survey, shall be filed with the county commissioners of Somerset county on or before the first day of December, in the year of our Lord nineteen hundred and six, and if it shall, before the thirty-first day of December of the same year complete, equip and operate ten miles of said railroad within its said location, then 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 sixteen, within which to build and operate the remaining portion of its said railroad within its said location.

—shall operate 10 miles of road before December 1, 1906.

—shall complete road in 1916.

Parallel roads.

Section 15. If the said railroad company shall build as aforesaid at least ten miles of its railroad within its location aforesaid under the rights given to it by this act, within and during the period expiring on said thirty-first day of December, in the year of our Lord nineteen hundred and six, no railroads shall be built parallel to said railroad which shall at any time within five miles from the line of said railroad so located. It is the intention of this section to encourage the building of said railroad within the location as herein provided, and to prevent its paralleling by any other railroad within the time within which it is authorized to build its said railroad within the location hereinbefore provided, 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 as the location aforesaid.

Troops and munitions, transportation of, free of charge.

Section 16. The said corporation is hereby authorized to enter into a contract with the state of Maine for the transportation over its said railroad of troops and munitions of war free of charge, other than as herein provided, for a period of twenty years after the construction and operation of the aforesaid first ten miles of railroad by this corporation, and to receive thereafter from the state annually for such term of twenty years an amount which shall equal ninety-five per cent of the tax collected in the corresponding year by said state from said corporation upon its railroad and other real and personal property used in connection with the maintenance and operation of said railroad, including its stock and franchise but not including timber lands, water powers, hotels, cottages or steamboat property. 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, it shall be presented to the state treasurer and it is hereby made the duty of said treasurer to execute said contract in behalf of said state,

—compensation.

—contract.

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and thereafterwards the state treasurer shall pay over to the said corporation each year during the term of said contract the amount provided in this section.

Section 17. 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 18. The first meeting of said corporation may be called by any corporator within named by notice thereof in writing signed by said corporator and given in hand or mailed to each of the other corporators, at least seven days before said meeting, and any corporator may act at said meeting, by written proxy.

First meeting,  
how called.

Section 19. Nothing in this act shall be construed as affecting the rights as now provided by law for minority stockholders in any company or corporation to be affected hereby.

Rights of  
minority  
stockholders.

Section 20. This act shall take effect when approved.

Approved March 11, 1903.

## Chapter 160.

An Act to incorporate the Houlton and Woodstock Electric Railroad Company.

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

Section 1. George Ingraham, Joseph A. Browne, Clarence H. Pearce, John Watson, Don A. H. Powers, Ransford W. Shaw, Charles D. Merritt, John B. Madigan, Leland O. Ludwig, Frank M. Hume, Hudson T. Frisbie, Willard S. Lewin, James Archibald and Harry M. Briggs, their associates, successors and assigns, are hereby constituted a corporation by the name of the Houlton and Woodstock Electric Railroad Company, with authority to construct, maintain and use a street railroad, to be operated by horse power or electricity with convenient single and double tracks, side tracks, switches or turnouts, with any necessary or convenient line of poles, wires, appliances, appurtenances or conduits, from the east line of the town of Houlton westward across the town of Houlton to and into the towns of Hodgdon, Linneus, New Limerick, Littleton and Ludlow, in the county of Aroostook, and from and to such other points and upon and over such other streets and ways, in the towns of Houlton, Hodgdon, Linneus, New Limerick, Littleton and Ludlow, as shall from

Corporators.

—corporate  
name.

location of  
route.