

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1853.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
Feb. 26, 1840, and March 16, 1842.

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WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1853.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1853.

CHAP. 166.

Not entitled
to funds from
state.

SECT. 3. Said society shall not be entitled to any portion of the funds from the treasury of the state, appropriated to agricultural societies, as provided in the revised statutes, chapter eighty-two, section one.

SECT. 4. The powers granted by this act may be enlarged, restricted or annulled, at the pleasure of the legislature.

First meeting,
how called.

SECT. 5. Any two of the corporators are hereby empowered to call the first meeting of said corporation, by giving such previous notice as they may think proper, at which meeting any corporative business may be transacted.

[Approved March 29, 1853.]

Chapter 166.

An act to provide for certain railroad connections for the European and North American Railway Company.

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

Authorized to
connect with
Penobscot and
Kennebec
Railroad.

Terms of
transportation,
&c.

SECT. 1. The European and North American Railway Company is hereby authorized to connect its railroad at Bangor, with the Penobscot and Kennebec Railroad, upon such terms and arrangements that all passengers, merchandise and property coming from or destined to the road of said European and North American Railway Company, shall be transported over said Penobscot and Kennebec Railroad, at rates of fare and freight as favorable as shall at the same time be established or allowed by said Penobscot and Kennebec Railroad Company for any other passengers, merchandise or property transported over the road of said company.

Certain
railroads
authorized to
connect with
Penobscot and
Kennebec
Railroad.

Rates of
transportation,
&c.

SECT. 2. Any railroad company which has been or may hereafter be chartered by the legislature with authority to extend its road to any point on the chartered route of the Penobscot and Kennebec Railroad, shall be at liberty to connect its road with said Penobscot and Kennebec Railroad, upon either side thereof, and all passengers, merchandise or other property coming from or destined to such connecting road shall be transported over said Penobscot and Kennebec Railroad, to or from the point of connection, at rates of fare and freight as favorable as shall at the same time be established or allowed by said Penobscot and Kennebec Railroad Company, for any other passengers, merchandise or property transported over the road of said company.

SECT. 3. All passengers, merchandise and property, transported over any connecting road mentioned in the two preceding sections, coming from or destined to the Penobscot and Kennebec Railroad, shall be carried, received and delivered by such connecting company, at rates of fare and freight as favorable as shall at the same time be established or allowed by such connecting company, for any other passengers, merchandise or property transported over such connecting road.

Transportation to or from connecting roads, regulation of.

SECT. 4. If any of the connecting companies aforesaid, shall be unable to agree with the Penobscot and Kennebec Railroad Company, in respect to the place or manner of connection with said railroad, or in respect to the terms of such connection, or the rates of fare and freight thereon, both for local and through business, or the division of receipts resulting from transportation over the roads so connected, either party may apply to the supreme judicial court, holden at any term, within any county, in which either of such connecting roads shall be located, for the appointment of commissioners to determine upon the matter of such disagreement. Such notice of said application shall be given to the other party, as the court may direct, and thereupon the court shall appoint three commissioners, who shall, upon due notice to the parties interested, and after hearing the same, proceed to determine and award, in writing, upon the matter submitted to them, and prescribe the things to be done and performed by the parties, or either of them, and said commissioners shall award costs to either party at their discretion. The award of said commissioners, or a majority of them, shall be returned to the court in the county where the application was made, and the same shall then be accepted and recorded, unless the court for cause shown, shall order the same to be recommitted, for further hearing and determination. And upon the acceptance of such award, the same shall be binding upon the respective companies interested in the same, until a new award shall be made upon a further application therefor; but no application for a further award shall be made within one year after the acceptance of a preceding award.

Junction, rates of transportation, &c., of connecting roads, how determined.

Notice of application to be given.

Award of commissioners.

Costs, &c.

Award, where returnable.

—acceptance of, &c.

Application for further award.

SECT. 5. The court shall have the power to prescribe the mode of proceeding by said commissioners and may issue all such process as may be necessary to secure the due execution and performance of any award made and accepted under the provisions of this act.

Court may prescribe the mode of proceedings of commissioners, &c.

SECT. 6. The capital stock of the European and North American Railway Company may be divided into not less than

Stock of European and North

CHAP. 167.

American
Railway, how
determined.

Bonds.

Authorized to
lease or pur-
chase other
railroads.

Stock and
franchise,
consolidation
of.

Powers, privi-
leges, duties,
liabilities, &c.

Penobscot
and Kennebec
railroad, time
to make a new
location
extended.

Wharves,
extension of
prohibited.

one thousand, nor more than one hundred and fifty thousand shares of twenty pounds sterling each, or of one hundred dollars each as said company may elect; and said company may issue its bonds in sterling currency in the same manner as is now authorized by law.

SECT. 7. The European and North American Railway Company is hereby authorized to purchase or lease any portion of any other railroad which has been chartered and located, or may hereafter be located between the city of Bangor and the eastern boundary of the state, and may purchase or lease the Penobscot and Kennebec Railroad so as to form a connected line of road from the boundary aforesaid to the western terminus of said Penobscot and Kennebec Railroad. And in case of any such purchase, the stock and franchise of the company whose road shall be so purchased, shall be consolidated into and become a part of the stock and franchise of the European and North American Railway Company; and all the privileges and powers acquired by such purchase shall be held and enjoyed under the charter of said company, and said company shall be required to perform and discharge all the duties and liabilities imposed by law upon the company whose road shall be so purchased.

SECT. 8. A further time of one year from the passage of this act is hereby granted, within which the said Penobscot and Kennebec Railroad Company may make a new location of any part of their road between Waterville and Bangor, but not so as to cross the Kennebec river at any point further north than the present actual location of its road at Kendall's Mills.

SECT. 9. This act shall take effect from and after its approval by the governor.

[Approved March 29, 1853.]

Chapter 167.

An act additional relating to the city of Portland.

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

SECT. 1. No person or corporation shall be allowed to extend any existing wharf in Portland harbor to a greater distance below low water mark than the same is now actually made, or hereafter to extend any new wharf below low water mark in