

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## FORTY-EIGHTH LEGISLATURE

OF THE

## STATE OF MAINE.

1869.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1869.

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shall so continue in office one year, and until others are chosen and qualified in their stead; and the persons elected treasurer and secretary, before entering upon their official duties, shall be sworn to the faithful performance thereof, and the treasurer shall also give bonds satisfactory to such corporation for the faithful discharge of his duties; *provided, however*, that the offices of treasurer and secretary may, if deemed advisable, be united in one person.

CHAP. 147.

Bonds.

Proviso.

SECT. 4. All deeds of conveyance, covenants and grants, made in behalf of said corporation, shall be sealed with the corporate seal and when made in pursuance of any vote of the corporation shall be valid and effectual to convey real or personal property, or bind the corporation.

Deeds of conveyance.

SECT. 5. The annual meeting shall be holden in the month of April, and at that meeting and all other meetings, it shall require seven persons at least, to constitute a quorum for the transaction of business, and meetings may be directed at other times by the president or the corporation, and said corporation may provide in what manner their meetings shall be notified and called.

Annual meeting.

Quorum.

SECT. 6. This act shall take effect when approved.

Approved February 22, 1869.

## Chapter 147.

An act to aid the minor children of William J. Dean.

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

SECT. 1. The minor children of William J. Dean, under sixteen years of age, shall be placed upon the pension rolls of this state, and there shall be paid to the legal guardians of said children for their support, the sum of six dollars each per month, from January first, eighteen hundred and sixty-eight, until they shall arrive at the age of sixteen years.

Six dollars each per month allowed to minor children until 16 years of age.

SECT. 2. This act shall take effect when approved.

Approved February 22, 1869.

## Chapter 148.

An act to incorporate the Pittsfield, Hartland and St. Albans Railroad Company.

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

SECT. 1. Franklin R. Webber, David D. Stewart, Sullivan Lothrop, Charles A. Parsons, Charles H. Skinner, Benjamin Ire-

Corporators.

## CHAP. 148.

land, John M. Skinner, Napoleon B. Turner, Mayhew C. Foss, Thomas Skinner, Hanson H. Webb, William Folsom, Enoch E. Brown, Sewall E. Prescott, Archibald Linn, Geo. Lancey, Joseph H. Chapman, John Page, Andrew H. Buck, Geo. H. Wilshire, Lawrence Williams, Amasa J. Moore, Albert W. Miller, James Moore, John S. Page, Josiah Billings, James W. Moore, their assigns, associates and successors, are hereby made and constituted a body politic and corporate, by the name of the Pittsfield, Hartland and St. Albans Railroad Company, and by that name may sue and be sued, plead and be impleaded, and shall enjoy all proper remedies at law, or in equity, to secure and protect them in the exercise and use of the rights and privileges, and in the performance of the duties hereinafter granted, and to prevent all invasion thereof, or interference in exercising and performing the same; and the said corporation is hereby authorized and empowered to locate and construct, and finally complete, alter and keep in repair a railroad with one or more sets of rails or tracks, with all suitable bridges, tunnels, viaducts, turnouts, culverts, drains, and all other necessary appendages, from some point at, or near to, the village of St. Albans and passing through, or near to, the village of Hartland, to some point on the Maine Central Railroad, at or near to, the village of Pittsfield; and said corporation shall be, and is hereby invested with all the powers, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this act, as herein set forth. And for this purpose, said corporation shall have the right to take and hold, or to purchase, so much of the land and other real estate of private persons and corporations, as may be necessary for the location, construction and convenient operation of said railroad; and shall also have the right to take, remove or use for the construction and repair of said road and appurtenances, any earth, gravel, stone, timber, or other material, on or from the land so taken; *provided, however,* the land so taken shall not exceed six rods in width, except where greater width is necessary for the purpose of excavating and embankment; *and provided also,* in all cases, said corporation shall pay for such lands, estate or materials, such price as they and the respective owner or owners thereof may mutually agree upon. And in case such parties shall not agree otherwise, the said corporation shall pay such damages as shall be ascertained and determined by the county commissioners for the county of Somerset, in the same manner, and under the same conditions as are by law provided in laying out highways; and no application to said commissioners, to estimate said damages, shall be sustained unless made within three years from the time of taking such land and other property. And in case said railroad shall pass through any woodland, or forest, the said company shall have the right to

Corporate name.

Power.

Route.

Land, right of construction.

Proviso.

Land damages, how and by whom determined.

May remove trees standing within four rods of road.

remove or fell any of the trees standing thereon within four rods from such road, which by their liability to be blown down, or from their natural falling, might obstruct or impair said railroad, by paying a just compensation therefor, to be recovered in the same manner as is provided for the recovery of other damages, before named in this act. And furthermore, said corporation shall have all the powers, privileges and immunities, and be subject to all the duties and liabilities provided respecting railroads in chapter fifty-one of the revised statutes, not inconsistent with the express provisions of this chapter, and subject also to all the provisions of chapter thirty-six of the laws of eighteen hundred and fifty-eight, relating to the safety and convenience of travellers on railroads.

Powers and privileges.

SECT. 2. The capital stock of said corporation shall consist of not less than two thousand shares, of one hundred dollars each, nor more than five thousand shares; and the immediate government and direction of the affairs of said corporation shall be vested in five, seven or nine directors, who shall be chosen by the members of said corporation in the manner hereinafter provided, and shall hold their offices until others shall have been duly elected and qualified to take their places, a majority of whom shall constitute a quorum for the transaction of business; and they shall elect one of their number to be president of the board, and he shall also be president of the corporation; and shall have authority to choose a clerk and a treasurer, who shall give bonds to the corporation in the sum of ten thousand dollars for the faithful discharge of his duties; and any ten of the persons named in the first section of this act are hereby authorized, at a meeting holden for that purpose, with or without notice, to accept this act and organize the said corporation.

Capital stock and shares.

Directors and tenure of office.

Quorum.

President.

Clerk and treasurer.

Bond.

Acceptance of act.

SECT. 3. Said corporation shall have power to make, ordain and establish all necessary by-laws and regulations consistent with the constitution and the laws of this state, for their own government, and for the due and orderly conducting of their affairs and the management of their property.

By-laws and regulations.

SECT. 4. The president and directors for the time being are hereby authorized and empowered, by themselves or their agents, to exercise all the powers herein granted to the corporation for the purpose of locating, constructing and completing said railroad, and for transportation of persons, goods and property of all kinds and descriptions; and all such power and authority for the management of the affairs of the corporation, as may be necessary and proper to carry into effect the objects of this grant; to purchase and hold lands, materials, engines and cars, and other necessary things in the name of the corporation for the use of said road, and for the transportation of persons, goods and prop-

Location, construction and completion of road.

Transportation of persons and property.

May purchase and hold lands, materials, engines, &c.

## CHAP. 148.

## Assessments.

Remedies against delinquent stockholders.

erty of all descriptions; to make such equal assessments from time to time, on all the shares in said corporation, as they may deem necessary and expedient in the execution and progress of the work, and direct the same to be paid to the treasurer of the corporation; and the treasurer shall give notice of all such assessments, and in case any subscriber or stockholder shall neglect to pay any assessment on his share or shares, for the space of thirty days after such notice is given, as shall be prescribed by the by-laws of said corporation, the directors may order the treasurer to sell such share or shares at public auction, after giving such notice as may be prescribed as aforesaid, to the highest bidder, and the same shall be transferred to the purchaser; and such delinquent subscriber or stockholder shall be held to the corporation for the balance, if his share or shares shall sell for less than the assessments due thereon, with the interest and costs of sale; and shall be entitled to the overplus, if his share or shares shall sell for more than the assessments due, with interest and costs of sale; *provided, however*, that no assessment shall be laid upon any share in said corporation of a greater amount in the whole than one hundred dollars.

Proviso.

Toll upon passengers and property.

SECT. 5. A toll is hereby granted and established for the sole benefit of said corporation, upon all passengers and property of all descriptions which may be conveyed or transported by them upon said road, at such rate as may be agreed upon and established from time to time by the directors of said corporation, subject to such general laws in relation to railroads as are or may be from time to time established by the legislature. The transportation of persons and property, the construction of wheels, the form of cars and carriages, the weight of loads, and all other matters and things in relation to said road, shall be in conformity with such rules, regulations, and provisions as the directors shall from time to time prescribe and direct.

Transportation, construction and form of rolling stock.

How regulated.

Annual meeting.

SECT. 6. The annual meeting of the members of said corporation shall be holden on the first Monday of September, or such other day as shall be determined by the by-laws, at such time and place as the directors for the time being shall appoint; at which meeting the directors shall be chosen by ballot, each proprietor, by himself or proxy, being entitled to as many votes as he holds shares; and the directors are hereby authorized to call special meetings of the stockholders whenever they shall deem it expedient and proper, giving such notice as the corporation by their by-laws shall direct.

Directors, how chosen.

And authority of same to call meetings.

Connections.

SECT. 7. The corporation is hereby invested with power to make connections with any other road or roads, and on such terms as the members may deem expedient and proper; and it is hereby authorized to lease the road, either before or after it shall have

Road may be leased.

been completed, on such terms and on such time as the members, at a meeting regularly called for that purpose, shall determine.

CHAP. 149.

SECT. 8. If the said corporation shall not have been organized, and the location, according to actual survey of the route, filed with the county commissioners for the county of Somerset on or before the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-three, or if the said corporation shall fail to complete said railroad on or before the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight, in either of the above mentioned cases this act shall be null and void.

Organization.

Limitation of charter.

SECT. 9. Said company shall not engage or commence in the construction of said road until fifty per centum of the estimated cost of said road shall have been subscribed for by responsible persons or corporations.

Construction conditioned upon amount of subscription.

SECT. 10. The legislature shall at all times have the right to inquire into the doings of the corporation, and into the manner in which the privileges and franchises herein and hereby granted may have been used and employed by said corporation, and to correct and prevent all abuses of the same, and to pass any laws imposing fines and penalties upon said corporation which may be necessary more effectually to compel a compliance with the provisions, liabilities and duties hereinbefore set forth and enjoined.

Legislature may inquire into doings of corporation, &c.

SECT. 11. This act shall take effect when approved.

Approved February 23, 1869.

### Chapter 149.

An act to authorize the Maine Granite Company to construct wharves in Kennebec river, at Hallowell.

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

SECT. 1. The Maine Granite Company or corporation duly authorized and doing business at Manchester in the county of Kennebec and their assigns are hereby authorized to build a wharf or wharves in the Kennebec river, at Hallowell, south of the Kennebec wharf, so called, and north of Leigh's wharf, so called, and to extend the same into the tide waters so that there will be a depth of ten feet of water at the terminus, said wharf not to interfere with the city landing nor obstruct the navigation of said river.

Extension of wharf into tide waters authorized. Restrictions.

SECT. 2. This act shall take effect when approved.

Approved February 23, 1869.