

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1870.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1870.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1870.

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be sworn to the faithful performance thereof, and the treasurer shall also give bond satisfactory to such corporation for the faithful discharge of his duties; *provided*, that the offices of treasurer and secretary may, if deemed advisable, be held by the same person, and be appointed by the president and directors or trustees of said corporation, and shall hold said offices at their pleasure.

CHAP. 436.

Bond.

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 of this corporation shall be holden in the month of May, and at that meeting and all other meetings it shall require seven members 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 prescribe in what manner its meetings shall be notified and called.

Annual meeting.

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

Approved March 5, 1870.

### Chapter 436.

An act to incorporate the Calais Branch Railroad Company.

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

SECT. 1. Benjamin F. Kelley, E. B. Harvey, F. A. Pike, Samuel Kelley, James Murchie, James S. Hall, C. R. Whidden and Charles H. Norton, their associates, successors and assigns, are hereby made and constituted a body politic and corporate by the name of the Calais Branch 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 interruptions in exercising or 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, turnouts and viaducts, and all necessary appendages, from the lower steamboat wharf in Calais, to any point on the banks of the St. Croix river, at or below Kelley's point, so called, and thence to the boundary line of the state in

Corporators.

Name.

Route.

## CHAP. 436.

## Connections.

Conditions and terms to be determined by railway commissioners.

St. Croix river, bridge over, authorized.

## Toll.

Rates may be fixed by county commissioners.

Powers and privileges.

May take and hold or purchase land and other real estate.

May take, remove and use earth, gravel, stone, &c.

## Proviso.

Damages, how ascertained and determined.

Application to be made within three years to commissioners.

Powers and liabilities.

Capital stock and shares.

the St. Croix river; and said corporation shall have the authority to lay a third rail on the track of the Calais and Baring Railroad Company, from their present terminus in Calais to the present passenger station of said Calais and Baring Railroad Company at the lower village in Calais, and to run trains on the same upon such conditions and terms as the railway commissioners of the state may determine; and said corporation shall have authority to build a bridge from the banks of the river St. Croix to the boundary line of the state in said river, in connection with the bridge herein authorized for the purpose of said railroad, for the purpose of general travel either on foot or in carriages, and to take tolls for the same, at such rates as may be fixed by the county commissioners of the county of Washington; and said corporation shall and hereby is 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 bridge; and shall also have the right to take, remove and use for the construction and repair of said road and appurtenances, any earth, gravel, stone, timber or other materials, 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 excavation 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 agree upon; and in case said parties shall not otherwise agree, the said corporation shall pay such damages as shall be ascertained and determined by the county commissioners of the county of Washington, in the same manner and under the same conditions as are by law provided in the case of laying out highways; and the land so taken by said corporation shall be held as lands taken and appropriated for 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 furthermore, said corporation shall have all the powers, privileges and immunities, and 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 charter, 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 passengers on railroads.

SECT. 2. The capital stock of said corporation shall consist of not less than one hundred shares nor more than one thousand

## CHAP. 436.

shares, and the immediate government and direction 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 be a quorum for the transaction of business. They shall elect one of their number to be president of the corporation, and shall have authority to choose a clerk and treasurer, who shall give bonds to the corporation in the sum of ten thousand dollars, for the faithful discharge of his trust. And any three of the persons named in the first section of this act are hereby authorized at a meeting held for that purpose, with or without notice, to accept this act and organize the said corporation.

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

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 bridge, and for the transportation of goods, persons and property of all 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 land, 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 property 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 said work, and direct the same to be paid to the treasurer of the corporation; and the treasurer shall give notice of all such assessments. 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 shall be held accountable 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 the interest and cost of sale; *provided however*, that no assessment

Directors, how chosen, &amp;c.

Term of office.

Quorum.

President and clerk.  
Treasurer and bond.

Acceptance of act.

By-laws.

President and directors, powers of.

Assessments, notice of.

Neglect to pay, shares may be sold by auction.

Notice and proceedings.

**CHAP. 437.** shall be laid upon any share in said corporation of a greater amount in the whole than one hundred dollars.

Toll granted.

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 direction of said corporation. 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.

Rate.

Transportation of persons and property, construction of wheels, form of cars, &c.

Annual meeting.

SECT. 6. The annual meeting of said corporation shall be holden on the first Monday of November, or such other day as shall be determined by the by-laws, at such time and place as the directors for the time shall appoint, at which meeting the directors shall be chosen by ballot, each person by himself or proxy being entitled to as many votes as he may hold 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 may direct.

Directors, choice of.

Connections with other roads authorized.

SECT. 7. This corporation is hereby invested with the power to make connection 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 been completed, on such terms, and for such time as the members at a meeting regularly called for the purpose shall determine.

SECT. 8. This act shall take effect when approved.

Approved March 5, 1870.

## Chapter 437.

An act to incorporate the Kennebec Savings Bank.

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

Corporators.

SECT. 1. Russell Eaton, W. F. Hallett, O. C. Whitehouse, J. W. Patterson, Joseph Baker, A. B. Farwell, L. W. Lithgow, John Dorr, Orrin Williamson, William H. Libby, Oliver Gould, Deane Pray, Thomas Little, J. L. Adams, G. C. Vose, Henry Boynton, Edward F. Wyman, Samuel W. Lane, W. P. Whitehouse, George E. Weeks and Henry S. Osgood, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of the Kennebec Savings Bank, and by that name may

Name.