

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1836.

AUGUSTA:
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1836.

SIXTEENTH LEGISLATURE.

No. 43.

SENATE.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT
HUNDRED AND THIRTY SIX.

AN ACT to incorporate the Jonesborough and
Whitneyville Railroad Company.

SECT. 1. *Be it enacted by the Senate and
2 House of Representatives, in Legislature as-
3 ssembled, That Edmund Monroe, Samuel J.
4 Lewis, Joseph Whitney, Benjamin Mathes,
5 Charles Ellis, Charles E. Bowers, Amos Bin-
6 ney, Joseph Dunn, Mortimer M. Jackson,*

7 Andrew Hinkley, their associates, successors
8 and assigns be, and they hereby are, created a
9 Corporation by the name of the Jonesborough
10 and Whitneyville Railroad Company, and shall
11 so continue for the space of thirty years from
12 the passing of this Act, and shall be entitled to
13 all the privileges, and subject to all the duties,
14 liabilities and requirements provided for in the
15 Act entitled "An Act concerning Corporations,"
16 passed February 16th, 1836; and also an Act
17 entitled "An Act defining certain rights and
18 duties of Railroad Corporations," passed the
19 day of , 1836.

SECT. 2. *Be it further enacted,* That said
2 Corporation is authorized to locate, construct
3 and maintain a Railroad from some point near
4 the Mills at Middle Falls on the West side of
5 Machias West River, and to extend the same
6 to some point at tide waters in Jonesborough;
7 and also to locate, construct, and maintain a
8 Railroad from some point near the Great Falls
9 on the West side of Machias West River, to
10 intersect the first mentioned Railroad, in the
11 most suitable and convenient place between the

12 Middle Falls and the tide waters in Jonesbo-
13 rough.

SECT. 3. *Be it further enacted,* That the
2 Capital Stock of said Corporation shall consist
3 of one thousand Shares, of one hundred Dol-
4 lars each share; and the Government of said
5 Corporation shall be vested in not more than
6 nine, nor less than five Directors, who shall hold
7 their office for one year, and until others are
8 chosen in their room, and a majority of them
9 shall form a quorum for transacting business;
10 and they shall elect one of their number Presi-
11 dent of the Board of Directors, who shall also
12 be President of the Corporation, and said Cor-
13 poration shall choose all other necessary officers,
14 and make necessary by-laws and regulations for
15 the management of their affairs, not repugnant
16 to the laws of this State.

SECT. 4. *Be it further enacted,* That the
2 annual meeting of the members of said Corpo-
3 ration shall be holden on the third Tuesday in
4 June, at such an hour and place as the Direc-
5 tors shall designate; at which meeting the Di-
6 rectors shall be chosen by ballot, allowing each

7 member of said Corporation at least one ballot,
8 and as many votes more as he shall hold shares;
9 *Provided*, That no member shall be allowed
10 more than twenty votes.

SECT. 3. *Be it further enacted*, That said
2 Corporation may purchase and hold real estate,
3 not exceeding in amount, at any time, the value
4 of One Hundred Thousand Dollars, for the pur-
5 pose of erecting wharves, making docks, ship-
6 yards, brick-yards, piling places, stores, houses,
7 and other buildings for the use and convenience
8 of said Corporation; and may make assessments
9 on the shares, and collect the same, as may be
10 provided in their by-laws.

SECT. 6. *Be it further enacted*, That shares
2 in the stock of the Corporation aforesaid, shall
3 be deemed and taken to be personal estate, and
4 may be transferred under such regulations as
5 may be lawfully established by said Corpora-
6 tion.

SECT. 7. *Be it further enacted*, That unless
2 said Railroad from the Middle Falls aforesaid
3 to the tide waters in Jonesborough be completed
4 in two years from the time of passing this Act,

5 then so much of this Act as relates to said Rail-
 6 road shall be void; and if the Railroad from
 7 the Great Falls aforesaid, be not completed
 8 within four years from the time of passing this
 9 Act, then so much thereof as relates to said
 10 Railroad shall be null and void.

. SECT. 8. *Be it further enacted*, That a toll
 2 be and hereby is granted and established for the
 3 benefit of said Corporation, for conveyance on
 4 the Railroads, from Middle Falls to the tide
 5 waters in Jonesborough, according to the rates
 6 following, to wit: for all planks, boards, joist or
 7 other sawed stuff or timber squared, other than
 8 hard wood, forty cents per thousand, board mea-
 9 sure; crackers and apples per barrel, eight cents
 10 each; on dried fish, per hundred weight, five
 11 cents; on oats, corn, or other grain, two cents
 12 per bushel; on potatoes and other vegetables,
 13 two cents per bushel; on all other articles, in
 14 proportion to weight and bulk; on passengers,
 15 ten cents each; and all articles intended to be
 16 conveyed on said Railroad, shall be placed there-
 17 on by the respective owners thereof, and taken
 18 therefrom by them or at their expense.

SECT. 9. *Be it further enacted*, That a toll

2 be and hereby is granted and established for the
3 benefit of said Corporation for the conveyance
4 on the Railroad from the Great Falls on Ma-
5 chias River to the tide waters in Jonesborough,
6 according to the rates following, to wit, on all
7 planks, boards, and other sawed stuff, and tim-
8 ber squared other than hard wood, board meas-
9 ure, fifty cents per thousand; on the same, if
10 hard wood, sixty cents per thousand; on spars
11 and masts, per ton of soft wood, forty cents; on
12 piling, per ton, twenty cents; on round timber
13 soft wood, other than masts, spars, and piling,
14 per ton, thirty cents; on round timber, hard
15 wood, per ton, fifty cents; on ship timber,
16 hard wood, per ton, fifty cents; on the same,
17 soft wood, thirty cents per ton; on knees of an
18 average size, thirteen to a ton, per ton sixty
19 cents; on oars per thousand feet one dollar; on
20 treenails, per thousand feet thirty five cents; on
21 clapboards, per thousand, sixty cents; on laths,
22 per thousand, twelve and half cents; on hogs-
23 head staves, per thousand seventy cents; on
24 barrel staves, hard wood, fifty cents; on same,
25 soft wood, thirty cents; on shingles, per thous-

26 and, fifteen cents; on hogshead hoops and barrel
27 hoop-poles, per thousand, one dollar; on bricks,
28 per thousand, sixty cents; on shooks, each sev-
29 en cents; on sugar boxes, each seven cents; on
30 heading, pairs, one hundred in number, eighty
31 cents; on fencing posts, one hundred in number,
32 two dollars; on hard wood and bark, per cord,
33 fifty cents; on soft wood, per cord, thirty cents;
34 on gypsum, sand, grindstones and granite,
35 wrought or unwrought, per ton, thirty cents; on
36 iron, nails, spikes, lead, and hollow ware, per
37 ton, fifty cents; on salt three cents per bushel;
38 on bales of cotton and cotton factory goods, per
39 ton, sixty cents; on hay in bundles, screwed,
40 seventy five cents; on charcoal per hundred
41 bushels, seventy five cents; on crates of ware
42 each fifty cents; on boxes of dry goods, per ton
43 of forty feet, seventy cents; on chests of tea,
44 each ten cents; on ploughs, each ten cents; on
45 lime, the cask, twelve and half cents; on boxes
46 of glass, one hundred feet, each ten cents; on
47 molasses, the hogshead, fifty cents; ditto, in
48 tierce, twenty five cents; ditto, in barrel, ten
49 cents; on spirits, or wine, tierce, each thirty

50 cents; on beef, pork, and pickled fish, each ten
51 cents; on flour, cider, each eight cents per bar-
52 rel; on bread, crackers and apples, per barrel,
53 each six cents; on corn, oats, and other grain,
54 two cents per bushel; on potatoes and other
55 vegetables, per bushel two cents each; on dried
56 fish, per hundred weight, three cents; on other
57 articles not enumerated, in proportion to bulk
58 and weight; on passengers, twelve cents each;
59 all articles of every description, to be placed
60 upon the Railroad cars and taken therefrom by
61 the owner or owners of the articles; or by their
62 agent, or pay for placing them thereon and tak-
63 ing them therefrom, in addition to the rates of
64 toll.

SECT. 10. *Be it further enacted,* That said
2 Corporation shall constantly, from and after the
3 time, when they commence the taking of toll
4 for transporting any of the articles aforesaid,
5 have and maintain, in good repair, and for use,
6 a good and convenient Railroad, constructed of
7 suitable materials, and provide fit vehicles, and
8 carriages with all necessary apparatus for the
9 safe conveyance of all such articles, as they may
10 be required to transport upon said Railroads, or

11 either of them; and shall be held and obliged
 12 to take charge of, and convey the same accord-
 13 ingly, the toll being first paid or tendered.

SECT. 11. *Be it further enacted,* That if
 2 any person shall wilfully, maliciously or contrary
 3 to law, take up, remove, undermine or otherwise
 4 injure or obstruct any part of either of said Rail-
 5 roads, or any work connected with or appertain-
 6 ing to the same, such person shall, for every such
 7 offence, forfeit and pay to said Corporation a
 8 sum not less than five nor more than five hundred
 9 dollars, according to the aggravation of the in-
 10 jury done or committed, and such offender, or
 11 offenders, shall further be liable to indictment
 12 for such trespass or trespasses, and on conviction
 13 thereof, shall be sentenced to pay a fine to the
 14 State of not less than twenty, nor more than
 15 one hundred dollars, at the discretion of the
 17 Court before whom the same shall be tried.

SECT. 12. *Be it further enacted,* That any
 2 two of the persons named in this Act, are au-
 3 thorized to call the first meeting of said Corpo-
 4 ration, by publishing the time and place thereof,
 5 three weeks successively in the Eastern Demo-
 6 crat, a paper printed in Calais, in the County of

7 Washington, and in one newspaper printed in
8 the City of Boston, State of Massachusetts, at
9 which meeting, the Board of Directors may be
10 chosen and other corporate business transacted.

STATE OF MAINE.

IN SENATE, FEB. 27, 1836.

ORDERED, that three hundred copies of the foregoing Bill
be printed for the use of the Legislature.

[Extract from Journal.]

Attest: **WILLIAM TRAFTON, Sec'y.**