

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:
SMITH & ROBINSON,.....PRINTERS.

1836.

SIXTEENTH LEGISLATURE.

No. 54.

SENATE.

STATE OF MAINE.

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

AN ACT additional to an Act, to incorporate the
Bangor and Old Town Railway Company.

[NEW DRAFT.]

SECT. 1. *Be it enacted by the Senate and*
2 House of Representatives, in Legislature as-
3 ssembled, That said Corporation be, and they
4 hereby are authorized to construct and maintain
5 such turnouts and branch Railways as may be
6 necessary for the convenience of said Corpora-
7 tion, and for the accommodation of mills which
8 are or may be situated within two hundred rods
9 of the main track of said road, provided such

10 branch Railways and turnouts, do not extend
11 across the main Penobscot river, except at or
12 near Old Town village.

SECT. 2. *Be it further enacted*, That said
2 Corporation is hereby authorized to exact and
3 receive as tolls for transportation upon said
4 Railway, ten cents per ton per mile for all lum-
5 ber, wood, bark or other articles transported
6 from Old Town, or any intermediate place, to
7 Bangor, excepting for a less distance than five
8 miles, in which case, the toll may be agreed
9 upon by the parties; and for all articles trans-
10 ported thereon from Bangor to Old Town, or
11 intermediate places, not within the distance of
12 five miles, fifteen cents per ton per mile. *Pro-*
13 *vided*, That the price of transportation of saw-
14 ed lumber from Old Town to Bangor shall not
15 exceed one dollar and thirty three cents per
16 thousand feet, and in the same proportion for
17 intermediate places exceeding the distance of
18 five miles. And a lien is hereby created on all
19 articles so transported for the toll and expenses
20 of transportation. And the tolls aforesaid shall
21 be subject to the control of the Legislature, from
22 and after the expiration of ten years from the

23 completion thereof. *Provided*, said tolls shall
24 not be so far reduced by the Legislature as to
25 render the net profits of said Railway, after de-
26 ducting all necessary expenses, less than twelve
27 per cent. upon the cost of said Railway, taking
28 the five preceding years as the basis of calcu-
29 lation.

SECT. 3. *Be it further enacted*, That said
2 Corporation shall at all times, when said Rail-
3 road is passable, be bound and holden to trans-
4 port all lumber, wood, bark or other articles, at
5 the tolls above named.

SECT. 4. *Be it further enacted*, That the
2 books of said Corporation, shall, at all times, be
3 open to the inspection of the Governor and
4 Council, and of any Committee duly authorized
5 by the Legislature; and, at the expiration of
6 ten years from the completion of said Railroad,
7 the Treasurer of said Corporation shall make
8 an exhibit under oath to the Legislature of the
9 net profits derived from said Railroad.

SECT. 5. *Be it further enacted*, That said
2 Corporation may make such by-laws as may be
3 necessary for the management of their affairs,
4 not repugnant to the laws of this State; and,

5 if said Railroad is not commenced the ensuing
6 summer, and completed by the first day of Oc-
7 tober, eighteen hundred and thirty seven, then
8 this Act, and the Act to which this is addition-
9 al, shall be void.

SECT. 6. *Be it further enacted,* That when
2 said Corporation shall take any land, or other
3 estate, as authorized by the Act, to which this
4 is additional, of an infant, person non compos
5 mentis, or feme covert whose husband is under
6 guardianship, the guardian of such infant or per-
7 son non compos mentis, and such feme covert
8 with the guardian of her husband, shall have
9 full power and authority to agree and settle with
10 said Corporation for damages, by reason of tak-
11 ing such land or estate aforesaid, and give good
12 and valid releases and discharges therefor.

SECT. 7. *Be it further enacted,* That the
2 Bangor and Piscataquis Canal and Railroad
3 Company and the Penobscot River Railroad
4 Company, shall, at all times, have the right to
5 pass over, under, or across the Railroad afore-
6 said *at grade*, within the village of Old Town,
7 in a manner not to injure said Railroad, or im-
8 pede the travel thereon, provided said Bangor

9 and Piscataquis Canal and Railroad Company,
10 and Penobscot River Railroad Company, shall,
11 by a vote of their respective Companies permit
12 the Bangor and Old Town Railway Company
13 to pass in like manner, their respective tracks.
14 *Provided*, That nothing in this Act shall be
15 construed to enlarge or extend the powers of
16 the Bangor and Piscataquis Canal and Railroad
17 Company.

STATE OF MAINE.

In SENATE, March 10, 1836.

Ordered that 300 copies of the foregoing Bill be printed for the use of the Legislature.

[Extract from the Journal.]

Attest,

WILLIAM TRAFTON, *Secretary.*