

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSIONS

A. D. 1851--2.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1852.

THIRTY-FIRST LEGISLATURE.

No. 42.]

[HOUSE.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
FIFTY-TWO.

AN ACT concerning railroads.

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

SECTION 1. It is hereby declared that no railroad
2 company has or shall have the right to assign its
3 charter, or any of its privileges, immunities or fran-
4 chises, without the express authority of the legislature
5 therefor; nor shall any railroad company, without
6 such express authority, lease its road or any portion
7 thereof, or grant the use and enjoyment thereof or any
8 portion of the same, to any other person or corpora-
9 tion, or in any way grant the use, possession, or con-

10 trol of the same to any other party or corporation, or
11 in any way place the control and management of the
12 said road in the hands of any other officers or parties
13 than those contemplated by the charter; and any
14 such lease, contract, agreement, assignment or trans-
15 fer, is hereby declared to be null and of no effect;
16 and it shall be the duty of the attorney general, on
17 suggestion or request of any person complaining of a
18 violation of the provisions of this act by any such
19 corporation, to file an information, in the nature of a
20 *quo warranto*, against said corporation, before the su-
21 preme judicial court, and said court is authorized to
22 pass such judgment, order, or decree, as to justice
23 and equity may appertain in all such cases: *provided*,
24 *however*, that nothing in this act contained shall be so
25 construed as to interfere with any mortgage made for
26 securing the debts of any corporation, or with any
27 leases or agreements as to roads lying in other States
28 made in accordance with the laws of those States in
29 which said roads may be situated.

SECT. 2. This act shall take effect in six months
2 from and after its approval by the governor.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, March 27, 1852.

ORDERED, That 350 copies be printed for the use of the House.

EDMUND W. FLAGG, *Clerk.*