

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

1860.

SIEVENS & SAYWARD, PRINTERS TO THE STATE.

1860.

THIRTY-NINTH LEGISLATURE.

SENATE.

No. 20.

STATE OF MAINE.

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

AN ACT in addition to an act to incorporate the Aroostook Railroad Company.

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

SECTION 1. That G. K. Jewett, Samuel F. Hersey,
2 George Stetson, George W. Smith, G. L. Boynton, G.
3 W. Pickering, E. S. Coe, W. H. McCrillis, S. H. Dale,
4 Solomon Parsons, Walter Brown, Charles Hayward,
5 Charles Stetson, S. P. Strickland, H. E. Prentiss,
6 Hastings Strickland, S. H. Blake, Isaiah Stetson, J.
7 W. Stinchfield, E. L. Hamlin, A. A. Wing, Asa
8 Smith, Thomas S. Ranney, Jonathan Eddy, Daniel B.
9 Hinekley, Nathaniel Blake, A. M. Roberts, Franklin

10 Muzzy, Joseph Porter, E. G. Dunn, W. C. Hammatt,
11 Shepard Cary, Joseph B. Hall, S. B. Pattee, Ebenezer
12 Woodbury, P. P. Burleigh, John McClusky, Samuel
13 Larrabee, Moses Buck, Winslow Staples, William R.
14 Hersey, Ira Fish, William Douglass, Richard Libbey,
15 John Lane, James Dunning, Leonard Jones, D. F.
16 Leavitt, their associates, successors and assigns, are
17 constituted a corporation by the name of the Aroos-
18 took Railroad Company, and by that name may sue
19 and be sued, plead and be impleaded. Said corpo-
20 ration is authorized to locate, construct, alter and
21 repair a railroad with one or more tracks from any
22 point in the city of Bangor or either of the towns of
23 Oldtown or Milford, in the county of Penobscot, to any
24 point in the county of Aroostook, and from said Ban-
25 gor to Castine, in the county of Hancock. When said
26 railroad shall pass through wood lands or forests, any
27 trees standing within four rods of said railroad may be
28 felled and removed by paying all damages occasioned
29 thereby, to be recovered in the same manner as other
30 damages occasioned by a construction of the road.
31 Said corporation shall have all the powers, privileges
32 and immunities and be subject to all the duties and
33 liabilities contained in chapter fifty-one of the revised
34 statutes.

SECT. 2. The capital stock of said company shall
2 consist of not less than five hundred, nor more than
3 thirty thousand shares of one hundred dollars each,
4 which shares are not liable to assessment beyond that
5 amount. When five hundred shares have been sub-
6 scribed for by ten or more responsible persons, the cor-
7 poration may be organized ; and it shall have all the
8 rights and privileges and be subject to all the liabili-
9 ties and duties contained in the forty-sixth chapter of
10 the revised statutes.

SECT. 3. A toll is hereby granted for the benefit of
2 said company upon all passengers and property trans-
3 ported upon said road at such rate as may from time
4 to time be established by its directors, subject to such
5 general laws in relation to railroads, as are or may be
6 from time to time established by the legislature.

SECT. 4. The corporation shall transport over its
2 road the mail of the United States, when required by
3 the postmaster general, for a reasonable compensation,
4 which, if not determined by agreement, may be by the
5 legislature of the state.

SECT. 5. Said company shall have a lien upon all
2 property transported on said railroad for the amount
3 due therefor until delivered, and be entitled to detain
4 the same until the amount be fully paid.

SECT. 6. 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, but not to impose any other or further duties, liabilities or obligations. And this charter shall not be revoked, annulled, altered, limited or restrained, without the consent of the corporation, except by due process of law; but said railroad company shall be subject to such general laws in relation to railroads as are or may be from time to time established by the legislature.

SECT. 7. The Aroostook Railroad Company is hereby authorized to take an assignment of the charters and franchises of "the Bangor, Oldtown and Milford Railroad Company," of "the Penobscot Railroad Company," and of "the Oldtown and Lincoln Railroad Company," and to purchase their respective roads and rights of way, or either of them, and all property and rights used by, or connected with them or either of

9 them, or to take a lease for any period of time, of all
10 or either of said franchises, railroads, property and
11 rights. And said three last named corporations are
12 respectively authorized to make an assignment, sale or
13 lease, as aforesaid, to the corporation first abovenamed,
14 which shall then be subject to all the provisions con-
15 tained in the charter of the corporation receiving. In
16 case said Aroostook Railroad Company, before the thir-
17 ty-first day of December, A. D. 1862, shall, as here-
18 by authorized, purchase and take from the "Penobscot
19 Railroad Company" an assignment of its charter, fran-
20 chise, road, rights of way, and the property and other
21 rights used by and connected with said company, then
22 the said franchise and property, including all lands
23 and rights in land purchased for road bed, depots and
24 other corporate purposes, and all its rights incipient or
25 perfect, of locating and establishing its road upon
26 lands of other persons, and all its rocks, gradings,
27 bridges, piers, abutments, or other structures or works,
28 shall to all intents pass to and vest in said Aroostook
29 railroad company, as an inherent part of its own fran-
30 chise and property. And the said rights and proper-
31 ties, being thus vested in said Aroostook Railroad Com-
32 pany, shall remain in them in full efficiency, unannul-
33 led and unimpaired by any subsequent defeat or disso-

34 lution of the Penobscot Railroad Company, whether by
35 its own limitation of the time in which their road
36 should be completed or by any other means.

SECT. 8. If the Aroostook Railroad Company shall
2 fail to have its railroad located, and its location ap-
3 proved as herein provided, before the thirty-first day
4 of December, eighteen hundred and sixty-three, or
5 shall fail to commence the construction thereof before
6 the thirty-first day of December, eighteen hundred
7 and sixty-eight, this act shall be void. The three
8 persons first named in the first section of this act may
9 call the first meeting of the corporators, by an adver-
10 tisement setting forth the time and place thereof, pub-
11 lished in one or more of the newspapers published in
12 the city of Bangor, two weeks prior to the time of
13 such meeting.

STATE OF MAINE.

IN SENATE, March 9, 1860.

This bill, reported from the Committee on Railroads, Ways, and Bridges, was read, and 350 copies ordered to be printed for the use of the Legislature.

JAMES M. LINCOLN, *Secretary.*