
FORTY-SEVENTH LEGISLATURE.

SENATE.

No. 22.

STATE OF MAINE.

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

AN ACT to incorporate the International Railway Company.

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

SECTION 1. Joseph Granger, James S. Hall, William
2 Duren, William Todd, Robert Watson, D. K. Chase,
3 Benjamin Young, William T. King, William Deming,
4 John McAllister, E. C. Gates, James Murchie, Joseph
5 E. Eaton, A. H. Sawyer, Putnam Rolfe and George
6 E. Downes, their associates, successors and assigns,
7 are hereby made and constituted a body politic and
8 corporate by the name of the International Railway
9 Company, and by that name may sue and be sued,
10 plead and be impleaded, and shall enjoy all proper

11 remedies at law or in equity, to secure and protect
12 them in the exercise and use of the rights and privi-
13 leges, and in the performance of the duties hereinafter
14 granted, and to prevent all invasion thereof, or inter-
15 ruption in exercising and performing the same. And
16 the said corporation is hereby authorized and empow-
17 ered to locate and construct and finally complete, alter
18 and keep in repair, a railroad, with one or more sets
19 of rails or tracks, with all suitable bridges, tunnels,
20 viaducts, turnouts, culverts, drains, and all other
21 necessary appendages, from some point in the town of
22 Milford to some point in the town of Princeton. And
23 said corporation shall be and hereby is invested with
24 all the powers, privileges and immunities, which are
25 or may be necessary to carry into effect the purposes
26 and objects of this act as herein set forth. And for
27 this purpose, said corporation shall have the right to
28 take and hold or to purchase so much of the land
29 and other real estate of private persons and corpora-
30 tions as may be necessary for the location, construc-
31 tion and convenient operation of said railroad; and
32 shall also have the right to take, remove and use, for
33 the construction and repair of said road and appurte-
34 nances, any earth, gravel, stone, timber or other
35 materials, on or from the land so taken; *provided how-*
36 *ever*, the land so taken shall not exceed six rods in

37 width, except where greater width is necessary for the
38 purpose of excavation and embankment. *And pro-*
39 *vided also*, in all cases said corporation shall pay for
40 such lands, estate or materials, such price as they and
41 the respective owner or owners thereof may mutually
42 agree upon; and in case said parties shall not other-
43 wise agree, then said corporation shall pay such dam-
44 ages as shall be ascertained and determined by the
45 county commissioners for the counties of Penobscot
46 and Washington respectively, in the same manner and
47 under the same conditions as are by law provided in
48 the case of laying out highways. And the land so
49 taken by said corporation shall be held as lands taken
50 and appropriated for highways. And no application
51 to said commissioners to estimate said damages shall
52 be sustained unless made within three years from the
53 time of taking such lands and other property; and in
54 case said railroad shall pass through any woodland or
55 forests, the said company shall have the right to re-
56 move or fell any of the trees standing thereon within
57 four rods from such road, which by their liability to
58 be blown down, or from their natural falling, might
59 obstruct or impair said railroad, by paying a just com-
60 pensation therefor, to be recovered in the same manner
61 as is provided for the recovery of the other damages
62 recovered in this act. And furthermore, said corpora-

63 tion shall have all the powers, privileges and immuni-
64 ties, and be subject to all the duties and liabilities,
65 provided respecting railroads in chapter fifty-one of
66 the revised statutes, not inconsistent with the express
67 provisions of this charter, and subject also to all the
68 provisions of chapter thirty-six of the laws of eighteen
69 hundred fifty-eight, relating to the safety and conven-
70 ience of travellers on railways.

SECT. 2. The capital stock of said corporation shall
2 consist of not less than one thousand shares, nor more
3 than ten thousand shares, of one hundred dollars for
4 each share ; and the immediate government and direc-
5 tion of the affairs of said corporation shall be vested in
6 five, seven or nine directors, who shall be chosen by the
7 members of said corporation in the manner hereinafter
8 provided, and shall hold their offices until others shall
9 have been duly elected and qualified to take their
10 places, a majority of whom shall be a quorum for the
11 transaction of business ; and they shall elect one of
12 their number to be president of the board, and he shall
13 be also president of the corporation, and shall have
14 authority to choose a clerk, and a treasurer who shall
15 give bonds to the corporation in the sum of ten thou-
16 sand dollars for the faithful discharge of his trust.
17 And any ten of the persons named in the first section

18 of this act are hereby authorized at a meeting holden
19 for that purpose, with or without notice, to accept this
20 act and organize the said corporation.

SECT. 3. Said corporation shall have power to make,
2 ordain and establish all necessary by-laws and regula-
3 tions consistent with the constitution and the laws of
4 this state, for their own government, and for the due
5 and orderly conducting of their affairs and the man-
6 agement of their property.

SECT. 4. The president and directors for the time
2 being are hereby authorized and empowered by them-
3 selves or their agents to exercise all the powers herein
4 granted to the corporation for the purpose of locating,
5 constructing, and completing said railroad, and for the
6 transportation of persons, goods and property of all
7 descriptions, and all such power and authority for the
8 management of the affairs of the corporation as may
9 be necessary and proper to carry into effect the objects
10 of this grant; to purchase and hold land, materials,
11 engines and cars, and other necessary things in the
12 name of the corporation, for the use of said road, and
13 for the transportation of persons, goods and property
14 of all descriptions; to make such equal assessments
15 from time to time on all the shares in said corporation,
16 as they may deem it necessary and expedient in the

17 execution and progress of the work, and direct the
18 same to be paid to the treasurer of the corporation.
19 And the treasurer shall give notice of all such assess-
20 ments, and in case any subscriber or stockholder shall
21 neglect to pay any assessment on his share or shares
22 for the space of thirty days after such notice is given,
23 as shall be prescribed by the by-laws of said corpora-
24 tion, the directors may order the treasurer to sell such
25 share or shares at public auction, after giving such no-
26 tice as may be prescribed as aforesaid, to the highest
27 bidder, and the same shall be transferred to the pur-
28 chaser, and such delinquent subscriber or stockholder
29 shall be held accountable to the corporation for the
30 balance, if his share or shares shall sell for less than
31 the assessments due thereon, with the interest and
32 costs of sale; and shall be entitled to the overplus if
33 his share or shares shall sell for more than the assess-
34 ments due with interest and costs of sale; *provided*
35 *however*, that no assessments shall be laid upon any
36 share in said corporation of a greater amount in the
37 whole than one hundred dollars.

SECT. 5. A toll is hereby granted and established
2 for the sole benefit of said corporation, upon all pas-
3 sengers and property of all descriptions which may be
4 conveyed or transported by them upon said road, at

5 such rate as may be agreed upon and established from
6 time to time by the direction of said corporation. The
7 transportation of persons and property, the construc-
8 tion of wheels, the forms of cars and carriages, the
9 weights of loads, and all other matters and things in
10 relation to said road, shall be in conformity with such
11 rules, regulations and provisions as the directors shall
12 from time to time prescribe and direct.

SECT. 6. The annual meeting of the members of
2 said corporation shall be holden on the first Monday of
3 November, or such other day as shall be determined
4 by the by-laws, at such time and place as the directors
5 for the time being shall appoint; at which meeting the
6 directors shall be chosen by ballot, each proprietor by
7 himself or proxy, being entitled to as many votes as
8 he holds shares; and the directors are hereby author-
9 ized to call special meetings of the stockholders when-
10 ever they shall deem it expedient and proper, giving
11 such notice as the corporation by their by-laws shall
12 direct.

SECT. 7. The corporation is hereby invested with
2 power to make connections with any other road or
3 roads, and on such terms as the members may deem
4 expedient and proper; and it is hereby authorized to
5 lease the road, either before or after it shall have been

6 completed, on such terms and for such time as the
7 members, at a meeting regularly called for that pur-
8 pose, shall determine.

SECT. 8. No discrimination in the rules of freight or
2 passengers shall be made by said company, nor by any
3 party who may operate its line, or any part thereof,
4 between railroads having the right to connect with its
5 railroad, but all passengers and freight coming from,
6 or going to any other road, having such right to con-
7 nect, shall be transported promptly and on terms alike
8 favorable by said company over its own road or by
9 any party operating the same, and on terms as favora-
10 ble as the like service is or shall be performed for
11 transportation commencing and terminating on the
12 line of said way of said company.

SECT. 9. If the said corporation shall not have or-
2 ganized and the location according to actual survey of
3 the route filed with the county commissioners of the
4 the counties through which the same shall pass on or
5 before the first day of July in the year of our Lord
6 one thousand eight hundred and seventy, or if the said
7 corporation shall fail to complete said railroad on or
8 before the first day of July, A. D. eighteen hundred
9 and seventy-three, in either of the above mentioned
10 cases this act shall be null and void.

STATE OF MAINE.

IN SENATE, February 14, 1868.

Reported by Mr. HOUGHTON, from the Committee on Railroads, Ways and Bridges ; bill read once, and on motion of Mr. ROBIE, laid on the table and ordered to be printed.

THOMAS P. CLEAVES, *Secretary.*