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# FORTY-SEVENTH LEGISLATURE.

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SENATE.

No. 35.

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## STATE OF MAINE.

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

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AN ACT to aid in the construction of the European and  
North American Railway.

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

SECTION 1. The governor of the state is hereby au-  
2 thorized and empowered to transfer and convey by  
3 deed to the European and North American Railway  
4 Company, all the timber and lands belonging to the  
5 state situated upon the waters of the Penobscot and of  
6 the St. John rivers, to be used by said company to aid  
7 in the construction of its line of railway as contem-  
8 plated and provided for in an act entitled "an act to  
9 provide means for the defence of the northeastern

10 frontier," approved March twenty-fourth, in the year  
11 of our Lord one thousand eight hundred sixty-four,  
12 and an act approved February twenty-first, eighteen  
13 hundred sixty-six, and subject to all the reservations  
14 contained in and the obligations imposed by said acts,  
15 except that said company is hereby relieved from the  
16 obligation to pay the balance due from this state to  
17 Massachusetts as required by said act of eighteen  
18 hundred sixty-four; *and provided further*, that the  
19 proceeds of timber and lands hereby granted, or any  
20 money which may be raised on a mortgage or sale  
21 thereof, as provided by said act of eighteen hundred  
22 sixty-six or by the conveyance under this act, shall  
23 be applied solely to the construction of a railroad from  
24 the town of Lincoln through the town of Winn to the  
25 easterly boundary of the state.

SECT. 2. Other railroad companies now incorporated  
2 or hereafter to be incorporated in this state shall have  
3 the right to connect their railroads with the railroad of  
4 the European and North American Railway Company  
5 in the city of Bangor or in any other city or town  
6 along the line of its road; and no discrimination in the  
7 rates of freight or passengers shall be made by said  
8 company nor by any party who may operate its line of  
9 railway or any part thereof, between railroads having

10 the right to connect with its railroad as aforesaid; but  
11 all passengers and all freight coming from or going to  
12 any other road having such right to connect shall be  
13 transported promptly and on terms alike favorable by  
14 said company over its own road, or by any party oper-  
15 ating the same, and on terms as favorable as the like  
16 service is or shall be performed for transportation com-  
17 mencing and terminating on the line of railway of said  
18 company.

SECT. 3. Section one of an act entitled "an act  
2 explanatory of and amending an act additional to and  
3 amendatory of an act to provide means for the defence  
4 of the northeastern frontier," approved March twenty-  
5 fifth, in the year of our Lord one thousand eight hun-  
6 dred and sixty-four, is hereby repealed, but the second  
7 section of said act is continued in force; and it is  
8 hereby provided that this act and the conveyance of  
9 timber and lands authorized by it shall in nowise affect  
10 the doings of the land agent, and that all moneys  
11 received from the sales of land and timber since the  
12 twenty-fourth day of March, one thousand eight hun-  
13 dred and sixty-four, and all notes and other securities  
14 in possession of the land agent, as proceeds of sales or  
15 parts of sales of land and timber as aforesaid, are  
16 declared to be, and are to remain, the property of the

17 state exempt from any legal or equitable claim to the  
18 same on the part of said company.

SECT. 4. Before any sale of lands or timber is made,  
2 or any mortgage is effected of the lands herein trans-  
3 ferred and conveyed to the European and North Ameri-  
4 can Railroad Company, the directors of said road shall  
5 appoint two trustees, with the approval of the gov-  
6 ernor of the state. It shall be the duty of the proper  
7 officers of the company to deposit all moneys, or secu-  
8 rities collected by them, from any sale or mortgage of  
9 the property herein transferred and conveyed, in the  
10 hands of such trustees, who shall hold the same in  
11 trust, until the said railroad is finished to the town of  
12 Lincoln; and the trustees aforesaid shall be required  
13 to give sufficient bonds, to the approval of the gov-  
14 ernor, for the faithful execution of their said trust.  
15 The moneys and securities so received shall on the  
16 completion of said road to the town of Lincoln be paid  
17 to said railroad company; *provided* that the moneys so  
18 received in trust may sooner than above limited be  
19 used to pay for actual construction of said road be-  
20 tween said town of Lincoln and the eastern boundary  
21 of the state when ordered and approved by the gov-  
22 ernor.

SECT. 5. No sale, mortgage, transfer or conveyance  
2 of the timber and lands hereby conveyed to the Euro-  
3 pean and North American Railroad shall be effected  
4 unless approved by the governor.

SECT. 6. This act shall be in force after its ap-  
2 proval.



STATE OF MAINE.

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IN SENATE, February 19, 1868.

Mr. ROBIE proposed a substitute for bill "an act to aid in the construction of the European and North American Railway," which was ordered to be printed.

THOMAS P. CLEAVES, *Secretary*.