

MAINE STATE LEGISLATURE

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FIFTY-FIRST LEGISLATURE.

HOUSE.

No. 61.

STATE OF MAINE.

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

AN ACT to incorporate the Piscataquis Central Railroad Company.

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

SECTION 1. John G. Mayo, Elbridge A. Thompson, 2 Ephraim Flint, Charles H. B. Woodbury, S. Orman 3 Brown, Elias J. Hale, William N. Thompson, Benja- 4 min B. Vaughan, William P. Lampson, Theodore 5 Wyman, Frank M. Ford, Jason Hassell, Moses W. 6 Brown, and William Briggs, their associates, succes- 7 sors and assigns, are hereby made and constituted a 8 body politic and corporate, by the name of the Piscat- 9 aquis Central Railroad Company, and by that name 10 may sue and be sued, plead and be impleaded, and 11 shall enjoy all proper remedies at law or in equity, to

12 secure and protect them in the exercise and use of the
13 rights and privileges, and in the performance of the
14 duties hereinafter granted, and to prevent all invasion
15 thereof, or interruption in exercising and performing
16 the same; and the said corporation is hereby author-
17 ized and empowered to locate and construct, and
18 finally complete, alter, and keep in repair, a railroad
19 with one or more sets of rails or tracks, with all suita-
20 ble bridges, tunnels, viaducts, turnouts, culverts,
21 drains and all other necessary appendages, from some
22 point in the town of Dexter, in the county of Penob-
23 scot, as near the northern terminus of the Dexter and
24 Newport railroad as may be, for making convenient
25 connection therewith, through Sangerville, Dover,
26 Foxcroft, Sebec, Barnard and Williamsburg, in the
27 county of Piscataquis, to some point in the town of
28 Brownville, in said county of Piscataquis, or from said
29 point in said Dexter over the most practical route, by
30 or through the villages of Dover and Foxcroft or either
31 of them, and by or through the village of Sebec to
32 some point in said Brownville, and said corporation
33 shall be and hereby is invested with all the powers,
34 privileges and immunities which are or may be neces-
35 sary to carry into effect the purposes and objects of
36 this act, as herein set forth, and for this purpose said
37 corporation shall have the right to take and hold, or

38 to purchase so much of the land and other real estate
39 of private persons and corporations as may be neces-
40 sary for the location, construction and convenient ope-
41 ration of said railroad, and shall also have the right to
42 take, remove and use for the construction and repair
43 of said road and appurtenances, any earth, gravel,
44 stone, timber, or other materials on or from the land
45 so taken; *provided, however*, the land so taken shall
46 not exceed six rods in width except where greater
47 width is necessary for the purpose of excavation and
48 embankment; *and provided, also*, in all cases said
49 corporation shall pay for such lands, estate or mate-
50 rials, such price as they and the respective owner or
51 owners thereof may mutually agree upon; and in case
52 said parties shall not otherwise agree, the said corpo-
53 ration shall pay such damages as shall be ascertained
54 and determined by the county commissioners for the
55 county where such land or other property may be
56 situated, in the same manner and under the same con-
57 ditions as are by law provided in the case of laying
58 out highways, and the land so taken by said corpora-
59 tion shall be held as lands taken and appropriated for
60 highways, and no application to said commissioners to
61 estimate said damages shall be sustained unless made
62 within three years from the time of taking such lands
63 and other property; and in case said railroad shall

64 pass through any woodlands or forests, the said com-
65 pany shall have the right to remove or fell any of the
66 trees standing thereon within four rods from such road,
67 which by their liability to be blown down or from their
68 natural falling might obstruct or impair said railroad,
69 by paying a just compensation therefor, to be recovered
70 in the same manner as is provided for the recovery of
71 the other damages mentioned in this act. And fur-
72 thermore, said corporation shall have all the powers,
73 privileges and immunities, and be subject to all the
74 duties and liabilities provided, respecting railroads, in
75 chapter fifty-one of the revised statutes, not incon-
76 sistent with the express provisions of this charter.

SECT. 2. The capital stock of said corporation shall
2 consist of not less than two thousand five hundred
3 shares, nor more than ten thousand shares, and the
4 immediate government and direction of the affairs of
5 said corporation shall be vested in seven, nine or
6 eleven directors, or in such number of directors as said
7 railroad company may fix, according to the provisions
8 of chapter one hundred and seventy-seven of the laws
9 of eighteen hundred and seventy-one, entitled "an
10 act to authorize railroad companies to fix the number
11 of directors," who shall be chosen by the members of
12 said corporation in the manner hereinafter provided,
13 and shall hold their offices until others shall have been

14 duly elected and qualified to take their places, a ma-
15 jority of whom shall be a quorum for the transaction
16 of business ; and they shall elect one of their number
17 to be president of the board, and he shall be also presi-
18 dent of the corporation, and said directors shall have
19 authority to choose a clerk, and a treasurer who shall
20 give bonds to the corporation in the sum of ten thou-
21 sand dollars at least, with sureties to the satisfaction
22 of the directors, for the faithful discharge of his trust ;
23 and any ten of the persons named in the first section
24 of this act are hereby authorized, at a meeting holden
25 for that purpose, with or without notice, to accept
26 this act and organize said corporation.

SECT. 3. Said corporation shall have power to make,
2 ordain and establish all necessary by-laws and regu-
3 lations, consistent with the constitution and 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 here-
4 in granted to the corporation for the purpose of locat-
5 ing, constructing and completing said railroad, and
6 for the transportation of persons, goods and property
7 of all descriptions, and all such power and authority

8 for the management of the affairs of the corporation
9 as may be necessary and proper to carry into effect
10 the objects of this grant ; to purchase and hold land,
11 materials, engines and cars, and other necessary things
12 in the name of the corporation, for the use of said
13 road, and for the transportation of persons, goods and
14 property of all descriptions ; to make such equal as-
15 sessments from time to time on all the shares in said
16 corporation as they may deem necessary and expedient
17 in the execution and progress of the work, and direct
18 the 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
26 notice as may be prescribed as aforesaid, to the high-
27 est bidder, and the same shall be transferred to the
28 purchaser, and such delinquent subscriber or stock-
29 holder shall be held accountable to the corporation for
30 the balance, if his share or shares shall sell for less
31 than the assessment due thereon, with the interest and
32 costs of sale ; *provided however*, that no assessment
33 shall be laid upon any share in said corporation of

34 a greater amount than one hundred dollars in the
35 whole.

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
4 be 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 directors of said corporation. The
7 transportation of persons and property, the construc-
8 tion of wheels, the form of cars and carriages, the
9 weight 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, subject to the
13 general laws of the state.

SECT. 6. The annual meeting of the members of
2 said corporation shall be holden on the first Tuesday
3 of 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
6 the directors shall be chosen by ballot, each proprietor
7 by himself or proxy being entitled to as many votes
8 as he holds shares, and the directors are hereby au-
9 thorized to call special meetings of the stockholders,
10 whenever they shall deem it expedient and proper, by

11 giving such notice as the corporation by their by-laws
12 shall 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 purpose
8 shall determine.

SECT. 8. Said corporation is authorized to issue its
2 bonds, and to secure the same by a mortgage of its
3 road, franchise and property, or in any other manner.

SECT. 9. The said company shall have two years in
2 which to complete and file the location of said rail-
3 road, and five years to construct the same.

SECT. 10. This act shall take effect when approved
2 by the governor.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 14, 1872. }

Reported from the Committee on Railroads, Ways and Bridges,
by Mr. WOODBURY of Houlton, and ordered printed on motion
of Mr. LEBROKE of Foxcroft.

S. J. CHADBOURNE, *Clerk.*