

MAINE STATE LEGISLATURE

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FIFTY-THIRD LEGISLATURE.

HOUSE.

No. 70.

STATE OF MAINE.

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

AN ACT to incorporate the Rumford Falls and Buckfield
Railroad Company.

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

SECTION 1. By reason of manifest abuses of the
2 rights, privileges and duties of the Portland and Ox-
3 ford Central Railroad Company, conferred and enjoined
4 upon it by its charter, and by reason of its neglect to
5 operate its road or keep the same in good repair for
6 several months past, *therefore*, public convenience and
7 necessity requiring it, John B. Brown, Horatio N. Jose,
8 Ralph C. Jewett, Hiram Hines, Nathan Morrill, Otis
9 Hayford, John P. Swasey, George D. Bisbee, James
10 Irish, E. G. Harlow, William P. Frye, Adna C. Den-
11 nison, Hiram Cox, Sewel Goff, Frank Dingley, Wil-

12 liam Rounds, John R. Pulsifer, William W. Bolster,
13 A. T. Dennison, Daniel Holland, N. W. Farwell, Anson
14 P. Morrill, Nahum Moor, S. C. Andrews, Sharon Rob-
15 inson, jr., Wallace Ryerson, Henry O. Stanley, Merit
16 Parsons, Benj. Lovejoy, Andrew J. Churchill, David
17 F. Brown, A. C. Small, E. S. Wyman, Timothy Walker,
18 Jonathan K. Martin, A. J. Knight, their associates,
19 successors and assigns, are hereby made a body politic
20 and corporate by the name of the Rumford Falls and
21 Buckfield Railroad Company, and by that name may
22 sue and be sued, plead and be impleaded, and shall
23 have and enjoy all proper remedies at law and in equity
24 to secure and protect them in the exercise and use of
25 the rights and privileges, and the performance of the
26 duties hereinafter granted and enjoined, and the said
27 corporation is hereby authorized and empowered to
28 locate, construct and finally complete, alter and keep
29 in repair, a railroad with one or more sets of rails or
30 tracks, with all suitable bridges, tunnels, viaducts, turn-
31 outs, culverts, drains, and all other necessary append-
32 ages, from some point in the city of Auburn, thence
33 westerly to some point near the junction of the location
34 of the Portland and Oxford Central Railroad with the
35 Atlantic and St. Lawrence Railroad at Mechanic Falls
36 in Minot, thence northeasterly along and upon the loca-
37 tion of the Portland and Oxford Central Railroad Com-

38 pany through the towns of Minot, Hebron, Buckfield,
39 Sumner, Hartford, Canton to Canton Mills village;
40 thence northerly up the valley of the Androscoggin
41 river through the towns of Canton, Peru, Dixfield,
42 Mexico, to a point near the mouth of Swift river and
43 Rumford Falls. And said corporation shall be and
44 hereby is invested with all the powers, privileges and
45 immunities which are or may be necessary to carry
46 into effect the purposes and objects of this act as herein
47 set forth ; and for this purpose said corporation shall
48 have the right to take and hold, or to purchase, so
49 much of the land and other real estate of private per-
50 sons and corporations, particularly the road, road-bed,
51 bridges, track and other property of the aforesaid Port-
52 land and Oxford Central Railroad Corporation, as may
53 be necessary for the location, construction and conven-
54 ient operation of said railroad, and shall also have the
55 right to take, remove and use for the construction and
56 repair of said road and appurtenances, any earth, gravel,
57 stone, timber, or other materials or property, on or from
58 the land so taken ; *provided, however*, the land so taken
59 shall not exceed five rods in width, except where greater
60 width is necessary for the purpose of excavation or em-
61 bankment ; *and provided also*, in all cases said corpora-
62 tion shall pay for such lands, estate, materials or prop-
63 erty such price as they and the respective owner or

64 owners thereof may mutually agree upon, and in case
65 said parties shall not otherwise agree, the said corpora-
66 tion shall pay such damages as shall be ascertained
67 and determined by the county commissioners for the
68 county where such land or other property may be situ-
69 ated, in the same manner and under the same condi-
70 tions as are by law provided in the case of laying out
71 highways, and the land so taken by said corporation
72 shall be held as lands taken and appropriated for high-
73 ways; and no application to said commissioners to
74 estimate said damages shall be sustained unless made
75 within three years from the time of taking such lands
76 and other property; and in case said railroad shall pass
77 through any woodlands or forests, the said company
78 shall have the right to remove or fell any of the trees
79 standing thereon within four rods from such road, which
80 by their liability to be blown down, or from their nat-
81 ural falling might obstruct or impair said railroad, by
82 paying a just compensation therefor, to be recovered
83 in the same manner as is provided for the recovery of
84 the other damages mentioned in this act. And fur-
85 thermore, said corporation shall have all the powers,
86 privileges and immunities, and be subject to all the
87 duties and liabilities provided respecting railroads in
88 chapter fifty-one of the revised statutes, not inconsis-
89 tent with the express provisions of this charter.

SECT. 2. The capital stock of said corporation shall
2 consist of not less than one thousand shares nor more
3 than five thousand shares, of one hundred dollars each,
4 and the immediate government and direction of the
5 affairs of said corporation shall be vested in seven,
6 nine or eleven directors, or in such number of direct-
7 ors as said railroad company may fix, according to the
8 provisions of chapter one hundred and seventy-seven
9 of the laws of eighteen hundred and seventy-one, en-
10 titled "an act to authorize railroad companies to fix
11 the number of directors," who shall be chosen by the
12 members of said corporation in the manner hereinafter
13 provided, and shall hold their offices until others shall
14 have been duly elected and qualified to take their
15 places, a majority of whom shall be a quorum for the
16 transaction of business, and they shall elect one of their
17 number to be president of the board, and he shall be
18 also president of the corporation; and said directors
19 shall have authority to choose a clerk and a treasurer,
20 who shall give bonds to the corporation in the sum of
21 ten thousand dollars, at least, with sureties to the sat-
22 isfaction of the directors for the faithful discharge of
23 his trust; and any ten of the persons named in the
24 first section hereof are hereby authorized to accept this
25 act and organize said corporation at a meeting holden
26 for the purpose, of which notice shall be given by

27 publication seven days previously in the Lewiston
28 Journal.

SECT. 3. 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 be
9 necessary and proper to carry into effect the objects of
10 this grant ; to purchase and hold land, materials, en-
11 gines and cars, and other necessary things, in the name
12 of the corporation, for the use of the said road and for
13 the transportation of persons, goods and property of all
14 descriptions, to make such equal assessments from time
15 to time on all the shares in said corporation as they
16 may deem necessary and expedient in the execution
17 and progress of the work, and direct the same to be
18 paid to the treasurer of the corporation. And the
19 treasurer shall give notice of all such assessments, and
20 in case any subscriber or stockholder shall neglect to
21 pay any assessment on his share or shares for the space
22 of thirty days after such notice is given, as shall be
23 prescribed by the by-laws of said corporation, the
24 directors may order the treasurer to sell such share or

25 shares at public auction, after giving such notice as
26 may be prescribed as aforesaid, to the highest bidder,
27 and the same shall be transferred to the purchaser, and
28 such delinquent subscriber or stockholder shall be held
29 accountable to the corporation for the balance if his
30 share or shares shall sell for less than the assessment
31 due thereon, with the interest and cost of sale ; *pro-*
32 *vided however*, that no assessment shall be laid upon
33 any share in said corporation of a greater amount than
34 one hundred dollars in the whole.

SECT. 4. A toll is hereby granted and established
2 for the sole benefit of said corporation upon all passen-
3 gers 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 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, and such laws
13 as may be hereafter enacted.

SECT. 5. Said corporation shall have power to make,
2 ordain and establish all necessary by-laws and regula-
3 tions consistent with the constitution and laws of this

4 state for their own government, and for the due and
5 orderly conducting of their affairs and the management
6 of their property.

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

SECT. 7. The corporation is hereby invested with
2 power to make connections with any other railroad or
3 railroads 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 stockholders, at a meeting regularly called for that
8 purpose, shall determine.

SECT. 8. For the purpose of raising means and funds
2 to accomplish the objects and purposes of this act, said
3 corporation is hereby authorized to make and issue its

4 bonds in such form and manner, and payable at such
5 time as the directors may, under the circumstances,
6 deem advisable ; and it may secure the principal and
7 interest of said bonds by a mortgage of its railroad and
8 all its lands, property, rights, privileges and franchises
9 then possessed, held or owned or thereafter acquired
10 by said corporation, made to such persons or trustees
11 and in such form and manner as the directors may
12 approve and prescribe.

SECT. 9. The corporation shall be authorized to issue
2 non-preferred and preferred stock upon such terms and
3 conditions and to such persons and corporations, and
4 with such limitations and restrictions as may be
5 deemed most for the interest of the subscribers, the
6 success of the corporation and the completion and
7 equipment of the road.

SECT. 10. Said corporation shall have five years in
2 which to complete and file the location of said railroad,
3 and eight years to construct the same.

SECT. 11. All the powers, privileges and immuni-
2 ties herein and hereby granted shall be subject to all
3 existing laws of the state and such as may be hereafter
4 enacted.

SECT. 12. This act shall take effect when approved.



STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 19, 1874. }

Reported from the Committee on Railroads, by Mr. SNOW,
and ordered printed under the Joint Rule.

S. J. CHADBOURNE, *Clerk.*