

# MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL

ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FOURTEENTH LEGISLATURE,

At its Session, held in January, 1834.

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PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

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AUGUSTA :

I. BERRY & CO. PRINTERS TO THE STATE.

1834.

Treasurer and Secretary to be under oath.

Treasurer required to give bond for the faithful performance of his duties.

First meeting—how notified.

so chosen, shall continue in office one year, and until others are chosen in their stead: And the Treasurer and Secretary shall be under oath to the faithful performance of the duties of their offices respectively: And the said Treasurer shall also be required before entering upon the duties of his office, to give bond to said corporation, in such sum as they may require, with sufficient sureties, to be by them approved, for the faithful performance of his said duties.

SECT. 6. *Be it further enacted*, That the first meeting of said corporation may be called at such time and place in Berwick, and by such one of the persons named in the first section of this Act, as a majority of all the persons, named as aforesaid, may direct by giving notice thereof in a public newspaper called the Great Falls Journal printed at Great Falls, fourteen days before such meeting.

## CHAPTER 427.

AN ACT to incorporate the Portland and Cape Elizabeth Coal and Rail-road Company.

Approved February 11, 1834.

Names of persons incorporated.

Corporate name.

Purposes of incorporation.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That Abner Bagley, Edward Howe, Woodbury Storer, Jonathan Dow, Rufus Emerson, Christopher Wright, Eliphalet Greely, John S. Bagley, John Pennell, Moses Hall, Michael H. Bagley and Nathan Howe, with their associates, successors and assigns, be, and hereby are constituted a corporation, by the name of the Portland and Cape Elizabeth Coal and Rail-road Company, for the purpose of searching, digging and boring for coal, and other fossil and mineral substances, on the farm in Cape Elizabeth, owned by Abner Bagley; who shall be entitled to receive such a proportion thereof, as he, and the said corporation may mutually agree upon; or, if the parties shall not agree, he shall be entitled to receive such a proportion, as three impartial and disinterested men,

mutually chosen by the parties, shall determine to be equitable; and for the purpose of erecting and maintaining such piers, wharves, buildings and machinery, as may be convenient or necessary, for facilitating the various operations and purposes of this Act; and shall have all the powers, privileges and immunities, and be subject to all the duties, liabilities and restrictions of similar corporations.

Powers, privileges and liabilities.

SECT. 2. *Be it further enacted*, That the Capital Stock of said corporation, shall consist of One Thousand Shares, certificates of which, shall be issued and signed by the President and Treasurer thereof; and the said shares shall be deemed and taken to be personal estate, and may be transferred by endorsement; and such transfer shall be recorded by the Secretary, or Clerk of said corporation.

Capital Stock. Amount of, and how to be divided.

Shares to be deemed personal property.

And the said corporation may make assessments on the shares, for the purpose of effecting the objects of the corporation. And if the proprietor of any share or shares, shall neglect or refuse to pay any assessment for the term of thirty days after the same hath become due, the share or shares on which there is a delinquency, may be sold at public auction, in manner and form as the by-laws of said corporation shall prescribe. The immediate government and direction of the affairs of said corporation, shall be vested in nine Directors, who shall hold their office for one year, and till others are chosen in their room, and a majority of them shall form a quorum for transacting business. They may elect one of their number for President of the board of Directors and of the corporation. And said corporation, by the name aforesaid, may prosecute and defend suits at law, and have a common seal; may make by-laws for the management of their affairs, not repugnant to the laws of the State, and may take and hold any estate, real or personal, to an amount not exceeding Two Hundred Thousand Dollars, and may sell and convey the same at pleasure; and all actions may be brought by their Treasurer, in behalf of said corporation.

Corporation may make assessments and sell shares of delinquent proprietors.

Direction of affairs to be vested in nine Directors chosen annually, &c.

Powers, privileges, &c.

Amount of real estate.

SECT. 3. *Be it further enacted*, That said corporation be, and hereby are authorized to locate, construct and

Authorized to construct a rail road and take land necessary therefor.

maintain a Rail-road, from some convenient point near where coal, or other fossil or mineral substances may be found, extending to, and so far over the flats of Fore River, in such mode as they may deem most expedient, and may take as much land and flats as may be necessary for the proper construction and security of said road, and for the erecting such piers and wharves, as may be necessary for the purposes of this Act: *Provided*, That said corporation shall be holden to pay all persons and corporations, the damages they may sustain by the taking of said land or flats, to be estimated and recovered in the manner provided by law, for recovering damages happening by the laying out of highways.

Proviso.

Annual meeting for the choice of Directors to be holden 2d Tuesday of April.

SECT. 4. *Be it further enacted*, That the annual meeting of the members of the corporation shall be holden on the second Tuesday of April, at such hour and place, as the Directors may designate; at which meeting, Directors shall be chosen by ballot; allowing one vote to every share; and absent stockholders may vote by proxy authorized in writing, under such prescriptions as the by-laws may prescribe; but no stockholder shall be entitled to more than forty votes; and any one of the three persons first named in the first section of this Act, is authorized to call the first meeting of said corporation, by written notifications, placed in two conspicuous places in the city of Portland; at which meeting, Directors may be chosen, and all other corporation business transacted. ●

No stockholder to be entitled to more than forty votes.

First meeting—how notified.

## CHAPTER 428.

AN ACT to incorporate the Portland Mining and Railway Company.

Approved February 11, 1834.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That Seth Mason, William Cammett, Andrew B. Mason, Daniel Winslow, Joseph Noble, James B. Moore, Nathaniel Crockett and Samuel

Names of persons incorporated.