

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

PRIVATE AND SPECIAL ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FIFTEENTH LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1835.

Published agreeably to the Resolve of June 28, 1820.

AUGUSTA:

WILLIAM J. CONDON.....PRINTER TO THE STATE.

1835.

a good and sufficient Rail Road, after they commence taking toll—and provide fit vehicles.

menced the taking of toll for transporting any of the articles aforesaid, have and maintain in good repair and fit for use a good and convenient Rail Road, constructed of suitable materials and provide fit vehicles and carriages, with all necessary apparatus for the safe and speedy conveyance of all such articles as they may be required to transport upon said Rail-way and shall be held and obliged to take charge of, and convey the same accordingly, the toll therefor being first paid or tendered.

CHAPTER 611.

AN ACT to incorporate the Waterville and Fairfield Railway Company.

Approved March 24, 1835.

Names of persons incorporated.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That Abijah Smith, Jedediah Morrill, Zebulon Sanger, Samuel Appleton, Simeon Matthews, William Pearson, John Kendall, Joseph Banks, David Page, Ebenezer Bolckcom, Jonas Parlin Jr., Samuel Weston, John W. Weston, Asa Wyman, A. Z. Littlefield, John G. Neil, Joseph Patten, Samuel Philbrick, Ebenezer H. Neil, Samuel Soule, Edmund Pearson and Philander Coburn—with their associates, successors, and assigns, be and hereby are created a Corporation by the name of the Waterville and Fairfield Rail-way Company, and shall so continue for the space of thirty years from the passing of this Act, and by that name may sue and be sued, use a common seal, and shall have all the powers and immunities necessary to carry the purposes of this Act into effect.

Corporate name—limitation of charter—powers, privileges, &c.

Authorized to locate and construct railway.

SECT. 2. *Be it further enacted,* That said Corporation is authorized to locate, construct, and maintain a Railway from some point in or near the village at Kendall's Mills in Fairfield in the County of Somerset, and extending the same to some point in or near the village in Waterville in the County of Kennebec; in such mode as said Corporation may deem most expedient; to lay out such way as

wide as may be necessary for the convenient use of said Railway. *Provided*, That said Corporation shall be holden to pay all persons and Corporations the damages they may sustain by the location and making aforesaid, to be estimated and recovered in the manner provided by law for recovering damages by reason of the laying out of highways.

Corporation to be holden for payment of damages.

SECT. 3. *Be it further enacted*, That the Capital Stock of said Corporation shall consist of Five Hundred Shares. The government and direction of the affairs of said Corporation shall be vested in not more than nine nor less than five Directors, who shall hold their office for one year and until others are chosen in their room, and a majority of them shall constitute a quorum for transacting business. They shall elect one of their number President of the Board of Directors and of the Corporation. Said Corporation may choose all other necessary officers, and may make necessary by-laws for the management of their affairs not repugnant to the laws of the State.

Capital Stock to consist of Five Hundred Shares, and the government of affairs to be vested in a board of Directors to be chosen annually.

SECT. 4. *Be it further enacted*, That said Corporation may purchase and hold land and all other things necessary for the construction and use of said Railway, and make assessments on the shares and collect the same as may be provided in their by-laws.

May purchase and hold lands, &c.

SECT. 5. *Be it further enacted*, That the annual meeting of the members of said Corporation shall be holden on the second Tuesday of January, at such hour and place as the Directors shall designate, at which meeting the Directors shall be chosen by ballot allowing one vote to every share, but no member to be allowed more than thirty votes.

Annual meeting of Corporation.

Choice of Directors.

SECT. 6. *Be it further enacted*, That if said Railway shall cross any public way, it shall be so constructed as not to obstruct the safe and convenient use of the same. And this Act shall not be so construed as to prevent the County Commissioners or the Selectmen of either of the towns of Waterville or Fairfield from laying out public ways, whenever common convenience and necessity shall require the same.

Not to obstruct public highways.

Powers of County Commissioners and Selectmen not to be impaired.

Rates of toll.

Corporation after they commence receiving tolls to keep railway in repair and provide vehicles, &c.

Rates of toll may be altered by the Legislature.

Railway to be finished within five years.

Mode of calling first meeting.

Provisions of this Act not to be altered within ten years.

SECT. 7. *Be it further enacted*, That there is hereby granted to said Corporation a toll for the articles conveyed upon said Rail-way at the following rates viz :—for transporting the whole distance of said Rail-way, boards and plank per thousand feet, board measure, forty cents; Clapboards per thousand, thirty five cents; Shingles per thousand, ten cents; Lathes per thousand, twelve cents; goods or merchandize per ton, fifty cents; screwed hay per ton, seventy five cents; bark per cord, fifty cents; bags containing two bushels of salt, grain or other articles, six cents each; and for each passenger, twenty five cents.

And said Corporation, after they shall commence receiving tolls, shall be bound at all times to have said Rail-way in good repair and a sufficient number of suitable carriages and vehicles for the transportation of articles, and be obliged to receive and convey the same whenever the proper tolls therefor shall be paid or tendered. And the rates of toll shall be subject to be altered and regulated at the pleasure of the Legislature. But this grant shall be void unless said Rail-way shall be constructed and finished within five years from the time said Act shall take effect.

SECT. 8. *Be it further enacted*, That the three persons first named in this Act or any one of them are authorized to call the first meeting of the Corporation by publishing the time and place thereof three weeks successively in some newspaper printed in the County of Kennebec at which meeting Directors may be chosen and all other Corporation business transacted. And the Legislature shall not have the right to restrict or annul the provisions of this Act till after the expiration of ten years from the passing of the same.