

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

SIXTYEIGHTH LEGISLATURE,

At its Session, held in January, 1836.

Published agreeably to the Resolbe of June 28, 1820.

AUGUSTA:

SMITH AND ROBINSON,.....PRINTERS TO THE STATE.

1836.

drawn by one beast six cents, for each waggon, cart, sled or sleigh drawn by two beasts eight cents and two cents for each additional beast—for neat cattle in droves or single one cent each—for each coach, phaeton, chariot or curricule fifteen cents—and to each team, one person as a driver and no more shall be permitted to pass toll free, and all persons going to or returning from public worship on the Lord's day, and all persons actually on military duty, also all persons going to, or returning from funerals shall be permitted to pass toll free.

Persons exempt from toll on certain occasions.

SECT. 6. *Be it further enacted*, That said Bridge shall be so constructed that rafts, gondolas, and boats without masts may pass under the same at any time of tide with ease and safety, free from expense.

Bridge to be so constructed as to admit rafts, &c. to pass under same.

SECT. 7. *Be it further enacted*, That if the said Corporation shall neglect or refuse for the space of three years from the passing of this Act to build and complete said Bridge, then this Act shall be null and void.

Time allowed to build bridge.

Chapter 60.

AN ACT to incorporate the Union Wharf Company.

Approved March 1, 1836.

SECT. 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled*, That Albert L. Kelly, Oliver Parker, Amos Sproul, Josiah Fernald, and Jeremiah Holmes of Frankfort in the County of Waldo, and Amos Patten, Willis Patten, Moses Patten, Jr., Waldo T. Pierce and Hayward Pierce of Bangor in the County of Penobscot, their associates and successors be and hereby are created a body politic and corporate by the name of the "Union Wharf Company," with power to sue and be sued, to have a common seal, and to change the same at pleasure, and to make rules and by-laws for the management and regulation of their real and personal estate, and of their common concerns, not repugnant to the laws of this State,

Persons incorporated.

Corporate name.

Powers, &c.

and to have, exercise and enjoy the usual rights and privileges of similar corporate bodies.

SECT. 2. *Be it further enacted*, That said Corporation may hold such real estate as is now owned by the Corporators above named, being the wharf known as the McGlathery wharf, in Frankfort in the County of Waldo, and the flats adjoining on the North of said wharf, to the South line of the Sampson Lot, so called, and such personal estate as is necessary for the enjoyment and exercise of the powers of this Act, and shall have power to sell, grant and alien in fee simple, or otherwise, their corporate property, or any part thereof, and also to manage and improve the same in such way as may be determined by two thirds of the votes of said proprietors at any legal meeting of said Corporation.

May hold certain real estate and necessary personal estate:

Powers, &c.

SECT. 3. *Be it further enacted*, That said corporate property shall be divided into forty eight shares, and certificates thereof shall be issued signed by the President and certified by the Clerk of said Corporation, and said shares shall be divided amongst the several proprietors according to the the interest they may respectively have, in the estate and property owned by said Corporation, and certificates aforesaid shall be issued accordingly, and the property of such shares shall be thereby vested in the share holders thereof, and the shares in said Corporation shall in all respects be, and hereby are declared personal estate, but shall be taxed in the town of Frankfort aforesaid.

Stock, how divided.

Shares considered personal estate.

SECT. 4. *Be it further enacted*, That said Corporation may construct on the lands and flats above described, all such wharves, ware houses, stores and other conveniences as they may deem necessary, *Provided however*, that in the use and improvement of said flats and privileges, the said Corporation shall not extend any pier or wharf or other conveniences, so as to impede or obstruct the navigation of the Penobscot River *and provided further*, that said Corporation shall not extend their erections or improvements to any lands or flats, other than those now owned, or may be owned, by the Corporators.

May construct wharves, &c.

Proviso.

Number of votes allowed.

SECT. 5. *Be it further enacted,* That in all legal meetings of said Corporation, each proprietor shall be entitled to one vote for every share held by him, but no proprietor shall be entitled to more than one fifth of the number of all the votes, and at said meetings the said Corporation may assess such sums of money as may be deemed necessary for the purposes of said Corporation, *Provided* that two thirds of the voters concur therein, and, *Provided further,* that the object for which such assessment is intended, is made known by posting up notice in some public place in the town of Frankfort, and publishing the same in one or more of the newspapers printed in Bangor, ten days at least before such meeting, and at any meeting of said Corporation each proprietor may vote by proxy specified in writing.

May assess money for certain purposes.

Proviso.

Proprietors may vote by proxy.

SECT. 6. *Be it further enacted,* That if any Proprietor shall refuse or neglect to pay any assessment which may be ordered at any meeting of the proprietors, the President and Clerk, may cause such share or shares of such delinquent as may be sufficient to pay such assessment, to be sold at public auction, to the highest bidder, after giving thirty days notice, in writing by posting up in some public place in Frankfort, and publishing in some newspaper printed in Bangor, and after deducting the amount assessed and unpaid, together with the charges of sale, the surplus, if any, shall be paid over to such proprietor, and the purchaser of such share, or shares, shall be entitled to receive from the President and Clerk a certificate of the same.

Manner of proceeding in case any proprietor neglects to pay assessments.

SECT. 7. *Be it further enacted,* That the first meeting of this Corporation may be called at such time and place as may be determined upon by a majority of the persons named in the first section of this Act, by publishing notice thereof in one or more newspapers printed in Bangor, and posting notice at some public place in the Town of Frankfort, ten days at least previous to the time of such meeting, and the proprietors at such meeting, may choose a President, Treasurer, Clerk and such other officers as may

Manner of calling first meeting.

Officers, when and how chosen.

be thought necessary to carry into effect the purposes of said Corporation.

Chapter 61.

AN ACT to incorporate the Hancock and Penobscot Rail Road Company.

Approved March 1, 1836.

SECT. 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That Daniel Waldo and his associates in Maine, Massachusetts and New York, their successors and assigns, be and they hereby are made a body politic and corporate by the name of the Hancock and Penobscot Rail Road Company, and by that name, shall have power to prosecute and defend suits at law, to have and use a common seal, and generally to have and enjoy all the powers and privileges, incident to similar Corporations, so far as the same may be necessary to carry into effect the purposes of this Act; and they are hereby authorized to locate, construct and maintain a Rail Road, from such a point on Frenchman's Bay through Ellsworth to such a point on Penobscot River at or near Brewer, as shall be most expedient, with the rights and powers, and subject to all the provisions, restrictions and limitations, that are contained in the general Act of this State, defining certain rights and duties of Rail Road Corporations.

Name of corporation.

Corporate name.

General powers.

SECT. 2. *Be it further enacted,* That the powers of the Company, except at the legal meetings thereof, shall be vested in a Board of not less than thirteen Directors, who shall be chosen at the first meeting of the Company, and shall afterwards be chosen annually at such time as the by-laws of the Company may determine, and shall hold their offices for one year, and until others shall be chosen in their stead.

Directors, certain powers vested in.

—how chosen.

SECT. 3. *Be it further enacted,* That the Company shall have power to establish any by-laws not repugnant to the laws of this State, and the Directors shall annually elect

By-laws, how established.