

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

4628

PASSED BY THE

TWENTY-SECOND LEGISLATURE

OF THE

**S T A T E O F M A I N E ,**

**A . D . 1 8 4 2 .**

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and  
March 16, 1842.

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*AUGUSTA:*

Wm. R. SMITH & Co., PRINTERS TO THE STATE.

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1842.

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PRIVATE AND SPECIAL LAWS

OF THE

**S T A T E   O F   M A I N E .**

**1842.**

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**CHAP. 12.**

to lay out a way  
across tide water  
of Machias river.

Proviso.

way across tide water, of Machias river in that town, above Dublin cove—so called; which way, when so laid out and approved by the inhabitants of said town, in the same manner, and with the same right of individuals, to claim damages, as are provided by law for laying out of town ways, shall be established; *provided* the bridge, hereby authorized to be erected shall be built above the place, where vessels come up and lie.

[*Approved March 3, 1842.*]

**Chapter 13.**

AN ACT to incorporate the Palmer and Machias-port rail road corporation.

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

Names of corporators.

Corporate name.

General powers.

Route.

Capital stock.

Directors.

Powers and duties of president and directors.

SECT. 1. John W. Trull, Mark Healy and Bela Hunting, their associates, successors and assigns, be, and they hereby are, made a corporation, by the name of Palmer and Machias-port Rail Road corporation, with all the powers and privileges, and subject to all the liabilities, prescribed in the seventy sixth chapter of the revised statutes; and the said corporation are hereby authorized and empowered to locate and construct a rail road, from Middle falls, so called, to Machias-port; the proposed rail road commencing and pursuing the course following, viz: a south easterly course from Middle falls in said Machias to Machias-port, crossing the county road in said Machias, leading from Machias village to Jonesborough, about one mile from said village; and the said corporation are authorized to lay out their road, not exceeding five rods wide through the whole extent above named.

SECT. 2. The capital of the said corporation shall consist of five hundred shares of one hundred dollars each, and the immediate government and direction of the affairs of said corporation shall be vested in three directors, who shall be chosen by the members of the corporation.

SECT. 3. The president and directors for the time being, are hereby authorized and empowered, by themselves or their agents, to exercise all the powers herein granted, to the corporation for the purpose of locating and constructing said rail road, and for the transporting of persons, goods and merchandize, and all such other powers and authority, for the management of the affairs of the corporation, not heretofore granted, as may be necessary or proper to carry into effect the objects of this grant, to purchase and hold

lands, materials, engines, cars and other necessary things, in the name of the corporation, for the use of the said road, and for the transportation of persons, goods and merchandize, to make such equal assessments from time to time, on all the shares in said corporation, as they may deem expedient and necessary, and direct the same to be paid to the treasurer of the corporation—*provided* that no assessment shall be laid upon any shares in said corporation of a greater amount in the whole than one hundred dollars on each share.

SECT. 4. A toll is hereby granted, and established, for the sole benefit of said corporation, upon all passengers and property of all descriptions, which may be conveyed or transported upon said road, at such rates as may be established from time to time by the directors of the corporation. And the transportation of persons and property, the construction of wheels, the form of cars and carriages, the weight of loads, and all other matters and things in relation to the use of said road, shall be in conformity to such rules, regulations and provisions, as the directors shall from time to time prescribe and direct.

SECT. 5. At all meetings of said corporation each proprietor shall be entitled to as many votes as he holds shares.

SECT. 6. If the said rail road, or the course thereof cross any highway, town way or private way, the said rail road shall be so constructed as not to impede or obstruct the safe and convenient use of such highway, town way or private way; and the said corporation shall have power to raise or lower such highway, town way or private way so that the said rail road may conveniently pass the same—and if the said corporation shall not raise or lower the same to the satisfaction of the selectmen of the town, in which the same is situated, the said selectmen may require in writing such alteration or amendment, as they may think necessary; and if the same be reasonable and proper and the corporation shall neglect to make the same, the said selectmen may proceed to make such alteration and amendment and may institute and prosecute to final judgment and execution in any court proper to try the same, any action of the case against said corporation, and shall therein recover a reasonable indemnity in damage for all charges, disbursements, labor and services occasioned by making such alteration or amendment, with costs of suit.

SECT. 7. If the said corporation shall fail to complete the said road on or before the first day of January, in the year of our Lord one thousand eight hundred and forty four, this act shall be void.

[Approved March 3, 1842.]