

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

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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:

WILLIAM T. JOHNSON,.....PRINTER TO THE STATE.

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1846.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1846.

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Chapter 358.

CHAP. 358.

An Act to incorporate the Union river Rail Road Company.

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

SECTION 1. Seth Tisdale, William Bennett, Thomas Robinson, Nathaniel A. Joy, George L. Cox, George W. Buckmore, Arno Wiswell, George W. Brown, Calvin Peck, Andrew Peters, G. N. Black, Joseph S. Rice and B. F. Austin, their associates, successors and assigns, are hereby created a corporation by the name of the Union River Rail Road Company, with all the privileges and powers, and subject to all the duties, liabilities and requirements, granted or required by the laws of the state ; and the said corporation is hereby authorized and empowered to locate and construct a rail road, within the town of Ellsworth, on the most practicable route on the east side of Union river, from a point at or near the head of the falls to some point at tide waters, on said river, distance about two and a half miles. And for this purpose said corporation shall have the right to take and hold so much of the land, and other real estate of private persons, as may be necessary for the location, construction and convenient operation of their rail road, and they shall, also, have the right to take, remove and use for the construction and repair of said rail road and appurtenances any earth, gravel, stone, timber or other materials, on or from the lands so taken : *provided, however,* that said land so taken shall not exceed four rods in width, except where greater width is necessary for the purposes of excavation or embankments, and *provided, also,* that in all cases said corporation shall pay for such lands, estate or materials so taken or used, at such price as they and the owner, or respective owners thereof, mutually agree on ; and in case said parties shall not otherwise agree, then said corporation shall pay such damages, as shall be ascertained and determined by the county commissioners for the county where such land or other property may be situated, in the same manner and under the same conditions and limitations, as are by law provided in the case of damages by laying out highways. And the land so taken by said corporation shall be held as lands taken and held for public highways. And no application to said commissioners, to estimate said damages shall be sustained unless made within three years from the time of taking such land or other property, or when it has already been taken, within one year from the time of the passage of this act.

Corporators.

Corporate name.  
Powers, privileges and liabilities.  
Authorized to construct a rail road.

Location.

Power to take and hold real estate.

Right to take and use earth, gravel, &c.

Proviso.

Further proviso.

Damages, how paid.

Application for damages to be made within three years.

SECT. 2. The capital stock of said corporation shall consist of two hundred and fifty shares, of one hundred dollars each ; and at all meetings of said corporation, each proprietor shall be entitled to

Number of shares constituting capital stock.

**CHAP. 359.**

Directors.

Powers vested in the president and directors.

By-laws.

Toll granted.

—how determined.

First meeting, how called.

as many votes as he holds shares. The immediate government and direction of the affairs of said corporation shall be vested in three directors, who shall be chosen by members of the corporation.

**SECT. 3.** The president and directors for the time being, are hereby authorized, by themselves or their agents, to exercise all the powers herein granted to the corporation for the purpose of locating and constructing said road, and for the transporting of lumber, goods and merchandize, and all such other powers and authority for the management of the affairs of said corporation, as may be necessary and proper to carry into effect the objects of this grant; to purchase and hold real estate, engines, cars and such other materials and things as may be necessary, in the name of said corporation, for the use of said road; to make such equal assessments on all the shares in said corporation, as they may from time to time, deem expedient and necessary, and direct the same to be paid to the treasurer of the corporation; *provided*, that no assessment of more than one hundred dollars shall be laid on any share in said corporation.

**SECT. 4.** Said corporation shall have power to make and establish such by-laws and regulations, not repugnant to the laws of this state, as may be necessary for the management of their concerns.

**SECT. 5.** A toll is hereby granted and established, for the sole benefit of said corporation, upon property of every description, which may be conveyed or transported by them upon said road, at such reasonable rate as may be agreed upon and established, from time to time, by the directors of said corporation.

**SECT. 6.** Any two of the persons before named in this act, may call the first meeting of said corporation by posting up notifications of the time and place thereof, in two public places in said town of Ellsworth, seven days prior to the time of said meeting.

[Approved July 29, 1846.]

**Chapter 359.**

An Act to authorize the proprietors of the Congregational Meeting house in Phipsburg to sell the pews in said house, and settle with the original proprietors thereof.

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

Proprietors organized in 1846, authorized to sell the pews.

The proprietors of the Congregational Meeting house in Phipsburg, organized in the year eighteen hundred and forty-six, for the purpose of repairing said house, are hereby authorized to make sale