

# 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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## CHAP. 370.

Right of the legislature to inquire into the doings of said corporation.

Duration of charter.

Certain conditions to be complied with or the charter to be null and void.

Authorized to transfer and assign this charter.

Said transfer shall not exonerate said corporation or the stockholders thereof from any liabilities previously incurred.

Additional toll granted on certain conditions.

SECT. 17. The legislature shall at all times have the right to enquire into the doings of said corporation, and into the manner in which the privileges and franchises herein and hereby granted may have been used and employed by said corporation, and to correct and prevent all abuses of the same, and to pass any laws imposing fines and penalties upon said corporation, which may be necessary more effectually to compel a compliance with the provisions, liabilities and duties, hereinbefore set forth and enjoined, but not to impose any other or further duties, liabilities or obligations. And this charter shall not be revoked, annulled, altered, limited or restrained, without the consent of the corporation, except by due process of law.

SECT. 18. If the said corporation shall not have been organized, and the location according to actual survey of the route, filed with the county commissioners of the counties through which the same shall pass, on or before the thirty first day of December, in the year of our Lord one thousand eight hundred and fifty one, or if the said corporation shall fail to complete said rail road on or before the thirty first day of December, in the year of our Lord one thousand eight hundred and sixty one, in either of the above cases, this act shall be null and void.

SECT. 19. And the said corporation is hereby authorized and empowered to transfer and assign this charter, with all its privileges, immunities and franchises, to the Boston and Maine Rail Road Company, on such terms and conditions as shall ensure, within the times prescribed by this act, the location and construction of said rail road. But said transfer and assignment shall not exonerate the corporation hereby created, or the stockholders thereof, from any legal liabilities or duties by them, before that time incurred and undertaken, and the said Boston and Maine Rail Road Company, after such transfer and assignment, shall be holden to perform all the duties, by this act imposed upon the said York and Cumberland Rail Road Company.

[Approved July 30, 1846.]

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### Chapter 370.

An Act additional to "an act to incorporate the Machias River Company."

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

SECTION 1. For every one hundred dollars, expended by the

**CHAP. 371.**

Machias River Company, on the various improvements made by them on the main Machias river, said company shall have the power to impose and collect a toll of seven and a half mills on each and every thousand feet, board measure, of all logs, masts, spars, ton or other timber, drifted, floated or driven by or over such improvements, instead of the toll now authorized. But nothing contained in this section shall be construed to apply to the tributary waters of said river.

Not construed to apply to tributary waters.

SECT. 2. Whenever any person or persons, liable for the payment of toll, shall by written petition represent to the county commissioners for the county of Washington, that any of the improvements made by said company have been removed or injured, so as no longer to answer the purpose for which they were erected, and that said company have refused to make a proportional abatement of toll in consequence thereof, said commissioners shall cause said company to be served with a true copy of said petition and of their order assigning the time and place for hearing the parties, one week at least prior to the day of hearing. And if said commissioners on the examination of witnesses or the inspection of their improvements, shall find the allegations set forth in said petition to be true, they shall determine what deductions from the tolls shall be made by reason of the removal or injury of said improvements until the same shall be replaced or repaired; but if they shall find that said allegations are not true, they shall establish the tolls as claimed by the company; and their determination in the premises shall be final and conclusive upon all parties and persons.

When petition shall be made to the county commissioners, representing that said improvements are removed or injured, &c.

Said company to be served with a copy of said petition, and of the order assigning a time and place of hearing.

Said commissioners to examine witnesses, &c. and determine in the premises.

—their determination shall be final and conclusive.

Costs, how recovered.

SECT. 3. Said commissioners shall order the payment of costs to the prevailing party and shall have power to issue warrants of distress to carry such order into effect; and said warrants if against said company shall be a legal set-off to any claims of said company for tolls against any person or persons whatsoever.

[Approved July 30, 1846.]

**Chapter 371.**

An Act to incorporate the Waldo Mills Company.

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

SECTION 1. Isaac Gage, John Dorr, E. K. Robinson, Calvin Spaulding, William G. Crosby, Hiram O. Alden, John Haraden, William S. Brannigan, Philo Sandford, Joseph Ballister, Smith

Corporators.