

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)

ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1852.

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

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

1852.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1852.

Potter, George W. Kendall, James D. Robinson and David Curtis, their associates, successors and assigns, be and hereby are, incorporated into a company by the name of the President, Directors and Company of the City Bank.

CHAP. 506.

SECT. 2. The capital stock of said bank shall be fifty thousand dollars, divided into shares of one hundred dollars each; and said bank shall be located and established in Bath, in the county of Lincoln.

Corporate
name.
Capital stock.

Location.

SECT. 3. Said corporators are hereby authorized and empowered to exercise all the rights and privileges conferred upon such corporations by the laws of this state and subject to all the liabilities and restrictions thereof.

Rights and
liabilities.

[Approved March 4, 1852.]

Chapter 506.

An act to prevent the destruction of pickerel in the Androscoggin and Wing Ponds.

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

SECT. 1. If any person shall take or destroy otherwise than by hook and line, any pickerel in Androscoggin Pond, so called, lying in Leeds and Wayne, or the "Wing Pond," so called, lying in Wayne, Kennebec county, or in any of the streams emptying into or issuing out of said ponds, he shall forfeit and pay for every pickerel, so taken and destroyed a fine of one dollar, to be recovered by action of debt, to the use of any person who may sue for the same.

Pickerel shall
not be caught
otherwise than
by hook and
line.

SECT. 2. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 4, 1852.]

Chapter 507.

An act to incorporate the Oldtown and Lincoln Railroad Company.

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

SECT. 1. Samuel Veazie, Amos M. Roberts, Elijah L. Hamlin, Enoch G. Rawson, William H. McCrillis, John Hodgdon, Shepard Cary, George M. Weston, Dudley F. Leavitt, Ira Fish, Asa Smith, James H. Bowler, Timothy Fuller, Isaac Hacker, John Gardiner, Richard Libby, David S. Plumley, Isaac W.

Corporators.

CHAP. 507.

Corporate name.

Purposes.

Location of road.

Powers, privileges and liabilities.

Capital stock.

Officers.

Books to be opened and regulations to be made for subscriptions.

Tabor, and Gorham L. Boynton, are hereby made a body politic and corporate by the name of the Oldtown and Lincoln Railroad Company ; and the said corporation are hereby authorized and empowered to locate, construct, alter and keep in repair a railroad with one or more sets of rails or tracks and all necessary appendages, from some point in Oldtown in the county of Penobscot, northerly over the Oldtown falls at or below the present terminus of the Bangor and Piscataquis Canal and Railroad Company near steamboat wharf in said Oldtown, through the towns of Milford, Greenbush, Passadumkeag, Enfield and Lincoln and township number four in range three, to the Mat-tawamkeag river in Indian township, on such route as the directors of said corporation shall judge most favorable and best calculated to promote the public convenience ; and said corporation shall have all the powers, privileges and immunities and be subject to all the duties and liabilities, provided and prescribed respecting railroads, in chapter eighty-one of the revised statutes, not inconsistent with the express provisions of this charter.

SECT. 2. The capital stock of said corporation shall consist of not less than eleven thousand nor more than fifteen thousand shares, and the immediate government and direction of the affairs of said corporation shall be vested in five, seven or nine directors who shall be chosen in the manner hereinafter provided, and shall hold their offices until others shall have been duly elected and qualified to take their places, a majority of whom shall form a quorum for the transaction of business ; and they shall elect one of their number to be president of their board, who shall also be the president of the corporation ; they shall have authority to choose a clerk who shall be sworn to the faithful discharge of his duty, and a treasurer who shall be sworn and also give bond to the corporation, with sureties to the satisfaction of the directors, in a sum not less than twenty thousand dollars, conditioned for the faithful discharge of his trust.

SECT. 3. For the purpose of receiving subscriptions to the said stock, books shall be opened at such time and in such places as shall be deemed expedient by the persons named in the first section of this act ; and in case the amount subscribed shall exceed the number of shares authorized by this act, the same shall be distributed among all the subscribers according to such regulations as the persons aforesaid shall prescribe before the opening of said books.

SECT. 4. Said corporation shall have power to make, ordain

and establish all necessary by-laws and regulations consistent with the constitution and laws of this state, for their own government and for the due and orderly conducting of their affairs and the management of their property.

CHAP. 507.

By-laws may be established.

SECT. 5. The president and directors for the time being, are authorized by themselves or their agents to exercise all the powers herein granted to the corporation for the purpose of locating and constructing said railroad, and for the transportation of persons and property and all such power as may be necessary and proper to carry into effect the objects of this grant and to make such equal assessments from time to time on all the shares subscribed, as they may deem expedient in the prosecution and progress of the work and direct the same to be paid to the treasurer of the corporation. The treasurer shall give notice of all such assessments, and in case any subscriber or stockholder shall neglect to pay any assessment on his share or shares, for the space of thirty days after such notice is given, as shall be provided by the by-laws of said corporation, the directors may order the treasurer to sell such share or shares, at public auction, after giving such notice as may be prescribed by the by-laws, to the highest bidder, and the same shall be transferred to the purchaser, and such delinquent stockholder or subscriber shall be held accountable for the balance, if his share or shares shall sell for less than the assessments due thereon, with the interest and costs of sale; and shall be entitled to the overplus, if his share or shares shall sell for more than the assessments due thereon with interest and costs of sale; *provided however* that no assessment shall be laid upon any shares of a greater amount in the whole than fifty dollars.

Officers, authority and powers of.

Duties of treasurer.

May sell shares.

Proviso.

SECT. 6. A toll is hereby granted for the sole benefit of said corporation upon all persons and property which may be conveyed upon said road, at such rate as may be established from time to time by the directors. The transportation of persons and property shall be in conformity with the rules and regulations to be prescribed by the directors.

Toll.

SECT. 7. The legislature may authorize any other company or companies to connect any other railroad or railroads, with the railroad of said corporation; and said corporation shall receive and transport all persons and property, which may be conveyed to their railroad on such other railroad as may be hereafter authorized to connect therewith, at the same rates of toll as may be prescribed by said corporation, so that the rates of toll on the persons and property received from such other railroads,

Regulations.

CHAP. 507. shall not exceed the general rates of toll on persons and property received at any of the depots of said corporation.

Fences.

SECT. 8. Said corporation shall erect and maintain substantial and sufficient fences on each side of the land taken by them for their railroad, when the same passes through inclosed or improved lands; and for neglect to erect and maintain such fence, such corporation shall be liable to be indicted in the district court for the county where such fence shall be insufficient, and to be fined in such sum as shall be adjudged necessary to erect or repair the same, and such fine shall be expended for the erection or repair of said fence under the direction of an agent appointed by said court.

Liable to indictment for neglect.

Obligated to transport mails.

SECT. 9. The said corporation shall at all times, when the postmaster general shall require it, be holden to transport the mail of the United States from and to such place or places on said road as required, for a fair and reasonable compensation; and in case the corporation and the postmaster general shall be unable to agree upon the compensation aforesaid, the legislature of the state shall determine the same, and said corporation after they shall commence the receiving of tolls, shall be bound to have their road in good repair, and a sufficient number of suitable engines, cars and carriages for the transportation of persons and property and be obliged to receive at all proper times and places, and convey the same, when the established tolls shall be paid or tendered, and a lien is hereby created on all property for the tolls.

Legislature to determine compensation in case of disagreement.

Annual meeting.

SECT. 10. The annual meeting of the members of said corporation shall be holden on the first Monday in August, or such other day as shall be determined by the by-laws, at such hour and place as the directors shall appoint, at which meeting the directors shall be chosen by ballot, each stockholder by himself or proxy being entitled to as many votes as he holds shares, and the directors are authorized to call special meetings of the stockholders whenever they shall deem it expedient, giving such notice as the corporation by their by-laws shall direct.

Directors, how chosen.

Special meetings.

Legislature, right to examine and inquire into the doings of the company.

SECT. 11. The legislature shall at all times have the right to enquire into the doings of the 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

May impose fines.

enjoined, but not to impose any further duties, liabilities or obligations; and this charter shall not be annulled, revoked, altered, limited or restrained, without the consent of the corporation except by due process of law.

SECT. 12. Any five of the persons named in the first section of this act, are hereby authorized to call the first meeting of said corporation, by giving notice in one or more newspapers published in the city of Bangor, of the time and place and the purposes of such meeting, at least twenty days before the time mentioned in such notice.

First meeting.

SECT. 13. No section or sections of said road shall be put under contract to be built until three quarters at least of the estimated cost (by a competent engineer) of building said section or sections, shall be subscribed by responsible persons.

Stock, certain amount subscribed before commencing operations.

SECT. 14. 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, or any part of which the same shall pass, on or before the thirty-first day of December, in the year eighteen hundred and fifty-seven, or if the said corporation shall fail to complete said railroad to Mattawamkeag on or before the thirty-first day of December in the year eighteen hundred and sixty seven, in either of the above mentioned cases this act shall be null and void.

Road, when to be completed.

[Approved March 8, 1852.]

Chapter 508.

An act to establish a draw in the Wetmore Isle Bridge.

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

SECT. 1. A good and sufficient draw at least twenty-eight feet wide shall be made and kept in the bridge connecting Wetmore Isle plantation and the town of Bucksport, in the county of Hancock.

Draw authorized.

SECT. 2. The county commissioners for said county are hereby authorized to locate said draw and establish such rules and regulations relating thereto as in their judgment the public good requires—first giving the notices required in the location of highways to parties interested.

Co. commissioners may locate draw, and establish regulations.

SECT. 3. It shall be the duty of the town or towns within

Towns to maintain same.