

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1852.

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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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1852.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1852.

CHAP. 643.

New shares.

time, create and dispose of new shares for the purpose of increasing the capital stock to the amount hereby authorized; but the shares shall not be liable to further assessments beyond the par value established as aforesaid.

Taxes.

SECT. 4. All the property of the corporation hereby constituted, shall be taxed to the corporation, by the assessors of Portland, as real estate, and the individual shares of members shall not hereafter be subject to taxation. But for all other purposes, the individual shares of members shall be considered as personal estate.

Power to extend wharf, &c.

SECT. 5. The said corporation is hereby authorized to enlarge and improve its wharf, by extending and maintaining the same, for such distance, below low water-mark, as it may deem expedient, but not further than Custom House wharf now extends, but not so as to interfere with the property in any existing wharf.

Acceptance of act.

SECT. 6. This act may be accepted by a majority of the members present at a meeting of the present proprietors of Portland Pier. Such meeting shall be called by the person now acting as clerk of said proprietors, by delivering a written notice thereof to each one of said proprietors; or leaving such notice at their several last and usual places of abode, fourteen days, in either case, before the day of such meeting. Such notice shall state the object of said meeting, and if any proprietor shall not there reside nor be within this state, it shall be sufficient to direct a written notice to him, by mail, within the time aforesaid, and for the purpose of calling and holding such meeting. This act shall take effect, upon its approval by the governor.

Meeting, how called.

[Approved April 24, 1852.]

Chapter 643.

An act to incorporate the Kenduskeag Plank Road Company.

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

Corporators.

SECT. 1. Charles W. Piper, Elhanan Garland, Daniel Sanborn, James O. Tilton, Dudley F. Leavitt, Abraham Sanborn, Edmund W. Flagg, and Chauncey Cochran, their associates, successors and assigns are hereby incorporated into a body corporate by the name of the Kenduskeag Plank Road Company and by that name may sue and be sued and have and enjoy all the powers and privileges of railroad corporations in this state.

Corporate name.

Powers and privileges.

And said corporation are hereby authorized to construct a plank road from some point in the city of Bangor to some point in the village of the town of Kenduskeag in the general direction from Bangor to the said village, and for the purpose of building said road, said corporation may purchase and hold, or take land in the same manner and under the same restrictions that land is taken by railroad corporations in this state, and by consent of the county commissioners of the county, may lay said plank road within the limits of any state, county or town-way, or across any bridge, not to interfere with the travel on such way or bridge, by paying the owners of land, such damages as may be awarded them by said county commissioners.

SECT. 2. The capital stock of said company shall be twenty five thousand dollars, divided into shares of one hundred dollars each; and said corporation may go into operation although the full amount of said stock has not been subscribed or paid in; *provided*, that no section or sections of said road shall be put under contract to be built until three quarters of the estimated cost of construction of said section or sections shall be subscribed by responsible persons.

SECT. 3. The corporation aforesaid, may erect and maintain gates across their road, at such places as they see fit, and take such toll from travelers as from time to time they may establish. At such places as said toll is taken, said company may keep up in a conspicuous place, a board with the rates of toll expressed thereon, in legible characters.

SECT. 4. Any person injuring or destroying any works of said company, shall suffer the same punishment as is prescribed for similar offenses in cases of injuring railroads in this state and any person who shall avoid any gate for the purpose of defrauding said company of their toll, shall be liable to a penalty equal to forfeit and pay double the amount of toll the company might have demanded and received of such person if he had passed such gate, to be recovered by complaint to the use of the company before any justice of the peace for the county, where the offense was committed.

SECT. 5. Unless ten thousand dollars of the capital stock of said company shall be subscribed for and paid in within four years from the passage of this act, the same shall be null and void.

SECT. 6. All the provisions of this act shall apply for the security and benefit of the corporation whenever any portion of the road is completed and put in use.

CHAP. 643.

Road, location of, &c.

May purchase and hold land.

Authorized to locate in certain places.

Damages.

Capital stock, and shares.

When to go into operation, &c.

Proviso.

Toll.

Toll sign.

Penalty for destroying said works.

Defrauding company of toll, penalty, &c.

How recoverd.

§10,000 to be paid in within four years.

Provisions of act applicable to any portion of road.