

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

EXTRA SESSION OF THE THIRTY-SECOND LEGISLATURE, 1853,

AND THE

THIRTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE,

1854.

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

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1854.

Chapter 273.

An act to authorize the city of Bath to assist the Sagadahoc Ferry Company.

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

SECT. 1. The city of Bath is hereby authorized to aid or assist the Sagadahoc Ferry Company, incorporated March seventh, eighteen hundred and thirty-four, by gratuity, loan, or otherwise, or to purchase the whole or any part of said Sagadahoc ferry, as the city council of the said city may deem expedient, and to raise money therefor by taxation or otherwise.

Sagadahoc ferry,
city of Bath
authorized to aid
the purchase of.

Money, how
raised.

SECT. 2. In case of the purchase of the whole of said ferry, the said city shall have, exercise and enjoy all the rights and privileges and be subject to all the liabilities conferred and imposed upon said company, by the aforesaid act of incorporation.

Rights, &c.

SECT. 3. This act shall take effect from and after its approval by the governor.

[Approved March 27, 1854.]

Chapter 274.

An act to incorporate the Cobbossee Contee Railroad Company.

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

SECT. 1. Parker Sheldon, Foliot T. Lally, Francis Richards, Robert H. Gardiner, Edward Swan, Robert Thompson, Gideon S. Palmer, Noah Woods, Nathaniel Kimball, Sifania Bowman, George Plaisted, William S. Grant, William Stone, John Dennis, John Neal, Woodman True, Asa W. Plympton, William G. Brown, John Safford, Charles T. Fox, John B. Fogg, Allen Haines, John M. Wood, Charles Millet, Alonzo Garcelon, William Small, Giddings Lane, Isaac S. Small, Reuel Williams, John Hubbard, Lot M. Morrill and John Otis, their associates, successors and assigns, are hereby made a body politic and corporate, by the name of the Cobbossee Contee Railroad Company; and the said corporation is 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 on the Kennebec river between the south line of Augusta and the north line of Richmond, through the towns of Gardiner, West Gardiner, Litchfield,

Corporators.

Corporate name.

Authorized to
locate and
construct rail-
road.

Location.

CHAP. 274. Monmouth, Kennebec, Winthrop and Wales, or any of them, to the Androscoggin Railroad in Leeds, at such point as the directors of said corporation shall judge most favorable and best calculated to promote 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, and other general laws of this state affecting railroads, not inconsistent with the express provisions of this charter. Also to be subject to all such regulations as the legislature has provided or may hereafter provide by any general laws or enactments concerning railroads.

General powers,
&c.

Capital stock.

Directors,

President.

Clerk.
Treasurer.
—bond of.

Books of sub-
scription, &c.

Excess of
subscription,
how distributed.

By-laws.

President and
directors,
powers of.

SECT. 2. The capital stock of said corporation shall consist of not less than one thousand, nor more than six thousand shares, not exceeding fifty dollars to each share; 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 herein provided, and shall hold their offices until others shall have been duly elected and qualified to take their places, a majority of whom shall constitute a quorum for the transaction of business; and from one of their number they shall elect a president of their board, who shall also be president of the corporation. They shall also choose a clerk 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 the trust reposed in him.

SECT. 3. For the purpose of receiving subscriptions to the said stock, books may be opened at such time and in such places as may be deemed expedient by the corporators named in the first section of this act; and in case the amount subscribed for 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 corporators 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.

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 purposes

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 enable them to carry into effect the objects of this grant, including the power to make 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 to the stock shall neglect to pay any assessment on his share or shares for the space of thirty days after such notice has been given as shall be provided by the by-laws of said corporation, the directors may order the treasurer to sell such share or shares, by 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 shall be held accountable to the corporation for the balance, if said share or shares shall sell for less than the assessments due thereon, with interest and costs of sale, and shall be entitled to the overplus if his said 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.

Assessments,

—notice of
—on delinquent stockholders, how collected.

Shares, how disposed of.

Delinquent stockholder, liability of.

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 prescribed by the directors.

Toll.

Transportation.

SECT. 7. The legislature may authorize any other company or companies to connect any other railroad or railroads with the railroad of said corporation at any points on the route of said railroad. And this corporation is hereby authorized to connect any railroad they may construct under this charter with any other railroad existing or to be constructed within this state.

Connection with other roads.

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 enclosed or improved lands; and for neglect to erect and maintain such fence, such corporation shall be liable to be indicted in the supreme judicial court for the county where such fence shall be insufficient, and to be fined in such sum as shall be adjudged

Fences, duty of company to erect.

Penalty for neglect.

CHAP. 274. 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.

Bridges.

SECT. 9. If said railroad shall, in the course thereof, cross navigable rivers or streams, the said corporation is hereby authorized and empowered to erect, for the sole and exclusive use of, their said railroad, a bridge across each of said rivers or streams; *provided*, said bridge or bridges shall be so constructed as not unnecessarily to obstruct the navigation of said waters.

Proviso.

Annual meeting.

SECT. 10. The annual meeting of said corporation shall be holden at such time 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 its by-laws shall direct.

Choice of officers, &c.

Special meetings.

Right of legislature to inquire into the doings of the corporation, &c.

SECT. 11. The legislature shall at all times have the right to inquire into the doings of the corporation, and into the manner in which the privileges and franchises herein and hereby granted, may have been used 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 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.

Transportation of mails.

SECT. 12. 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 it shall commence receiving tolls, shall be bound to have said 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

Road, &c., to be kept in good repair.

paid or tendered; and a lien is hereby created on all property for the tolls.

CHAP. 275.

Lien for payment of toll.

First meeting, how called.

SECT. 13. 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 of the newspapers published in the city of Gardiner, and also in one or more of the papers published in the city of Augusta, of the time and place and purposes of said meeting at least twenty days before the time mentioned in such notice.

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 county or counties through which all or any of the same shall pass, on or before the first day of January, eighteen hundred sixty, or if the said corporation shall fail to complete said road on or before the first day of January, eighteen hundred sixty-four, in either of the above named cases this act shall be null and void.

Act to become void in certain cases.

[Approved March 27, 1854.]

Chapter 275.

An act to incorporate the Seavey's Island Bridge Company.

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

SECT. 1. Levi Prior, John Prior, Waterman K. Prior, William Tarlton, James Trefethen, Daniel Trefethen, Samuel C. Dixon, Daniel J. Prior, Cushman Prior, Charles A. Neal and Thomas H. Abrams, their associates, successors and assigns, are hereby created a body politic and corporate, by the name of the Seavey's Island Bridge Company, with power by that name to sue and be sued, to have a common seal and change the same at pleasure; to ordain, establish and put in execution any by-laws and regulations for the management of their affairs, not repugnant to the laws of this state.

Corporators.

Corporate name.

SECT. 2. The said corporation shall have full power and right to build and maintain a free bridge forever, from Seavey's Island over tide waters, to the island on which is located the United States navy yard, for the convenience of the inhabitants residing on said Seavey's Island, and also for persons who may find it necessary to go there on business.

Right to build bridge.

Location.

SECT. 3. Said corporation shall be liable for all damages to

Liable for damages.