

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

112

PASSED BY THE

FORTIETH LEGISLATURE

OF THE

STATE OF MAINE.

1861.

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1861.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1861.

CHAP. 17.

When to be paid in.
Shares.
Loans.

Certificate to be filed with secretary of state.

sand dollars, to be paid into said bank in gold or silver on or before the first day of October next, and to be divided into shares of fifty dollars each; and loans may be made by said bank on said additional capital, whenever the directors or a majority of them, together with the cashier, shall have signed and certified by oath and filed in the office of the secretary of state a certificate that said additional sum has been actually paid in.

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

[Approved February 6, 1861.]

Chapter 17.

An act to make valid certain acts of the town of Scarborough.

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

Scarborough, certain doings in, made valid.

SECT. 1. The doings of the town of Scarborough at its annual meeting in March, one thousand eight hundred and sixty, in establishing school district number twelve in said town and in fixing the boundaries and limits of the same are made valid.

SECT. 2. This act shall take effect when approved.

[Approved February 6, 1861.]

Chapter 18.

An act to authorize the city of Bath to lend further aid in the construction of the Androscoggin Railroad.

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

Bath authorized to loan its credit to the Androscoggin Railroad Co.

SECT. 1. The city of Bath is hereby authorized to make a further loan of its credit to the Androscoggin Railroad Company, to aid in the construction of the extension of their railroad from the Leeds junction by the way of Lewiston Falls to Brunswick, as located or to be located in the towns of Leeds, Greene, Wales, Webster, Lewiston, Topsham and Brunswick, in the sum of two hundred thousand dollars, or so much thereof as may be required above and beyond the amount authorized to be loaned by the act entitled "an act to authorize the city of Bath to lend its aid in the construction of an extension of the Androscoggin Railroad, from the town of Leeds to the town of Topsham or Brunswick"; *provided however*, that this act shall not take effect, except as hereinafter provided,

Amount.

Proviso.

unless and until the same shall have been accepted by a vote of the directors of the railroad company, within six months from and after its approval by the governor; and also within the same time by a vote of the legal voters of said city, taken in public town meeting, legally notified and assembled for that purpose; and at least two-thirds of the votes cast at such meeting shall be necessary for the acceptance of this act.

Terms and conditions.

SECT. 2. Upon the acceptance of this act as aforesaid, the city treasurer shall issue from time to time, as may be required by the directors, and for the purpose named in the first section, scrip of the city, in convenient and suitable sums, not exceeding two hundred thousand dollars in all, payable to the holder at the expiration of thirty years from the date thereof, with coupons for interest attached, payable semi-annually.

Scrip, how to be issued.

Amount.

SECT. 3. To secure the city against liability to pay said scrip and interest, the president of the company shall, upon the issue of the first scrip, execute and deliver to the said treasurer the bond of said company in the penal sum of three hundred thousand dollars, payable to the city, and conditioned that the company will duly pay all liabilities incurred by the issue of such scrip as shall be issued by virtue of this act, according to the tenor thereof, and in all respects will hold and save harmless the said city on account of the issue of the same; and at the same time the president shall execute and deliver to the city treasurer, for the city of Bath, the mortgage of said company to secure the performance of the condition of said bond. Such mortgage shall be so made as to embrace all subjects of conveyance required to be embraced in the mortgage required by the fourth section of the act aforesaid, subject to all prior uncanceled mortgages, and any pre-existing attachment or lien thereon; and being executed, delivered and recorded in the manner therein provided, shall have like effect in respect to the loan herein authorized, as the mortgage therein required is to have in regard to the loan authorized by the said act. The president shall also in each case of the issuing of the scrip of the city, as hereinbefore provided, and simultaneously therewith, make and deliver to the city treasurer the scrip of said company, payable to the holder thereof, at the same time, and for the same aggregate amount as the scrip then issued by said treasurer to said company, with like coupons for interest attached; and the same shall be held by the city as collateral security for the fulfilment of the conditions of said bond; and in default of any one of said conditions, said city may from time to time sell said scrip, or any portion thereof, by public auction, at one or more times, in the cities of Bath, Boston or New York, one or more of them, after sixty days notice in writing to the president, or one of the directors, naming therein the time and place of sale. The net proceeds of all such sales

Bond of co. for security.

Amount.

Mortgage of company.

Scrip of co., delivery of.

—to be held as collateral.

—in default, may be sold.

—how and when to be sold.

CHAP. 19. shall be endorsed on the bond or bonds of said company, held by the city.

Rights, powers, obligations, &c.

SECT. 4. All the rights, powers, obligations, remedies and other provisions created, given, imposed and provided in the act aforesaid, from the fifth to the eleventh section inclusive, as applicable to the loan authorized in that act, are to be applicable to the loan hereinbefore authorized, and the rights, duties and remedies of the parties to the same; and the same are herein given, imposed and provided to be enjoyed, executed and enforced as to the loan herein granted, as the same are to be enjoyed, executed and enforced in respect to the loan granted in the act aforesaid.

Not to repeal or change provisions of act of May 17, 1860.

SECT. 5. This act is not to be construed to repeal or change the provisions of the aforesaid act approved on the seventeenth day of March aforesaid; but it is to be deemed and understood that the loan herein authorized is independent and in addition to the loan therein granted, and that the said city is authorized to make the loan herein provided, whether the railroad company shall comply with the conditions necessary to obtain the second instalment of the former loan or not.

Act, acceptance of, &c.

SECT. 6. This act shall be in force from and after its approval by the governor, so far as to authorize the directors of the railroad company and the inhabitants of Bath to act on the question of accepting the same, and for all the purposes in the same specified from and after its acceptance as hereinbefore provided.

[Approved February 7, 1861.]

Chapter 19.

An act to incorporate the Southport Mutual Fire Insurance Company.

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

Corporators.

SECT. 1. Willard Lewis, William Decker, John Maddocks, M. E. Peirce, Thomas Marr, Freeman Grover, junior, Eben Decker, Gilbert Love, George W. Peirce, and their associates and all others who may become members of said company be and they are hereby incorporated into a body politic and corporate, by the name of the Southport Mutual Fire Insurance Company, with full power to insure any species of real or personal property against loss or damage by fire, whether the same happens by accident, lightning or by any other means excepting that of design in the insured, and may purchase and hold such real and personal estate as may be necessary to effect the object of their association, and the same may sell and convey at pleasure.

Corporate name.

May hold real and personal estate.