

# 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

112

PASSED BY THE

FORTIETH LEGISLATURE

OF THE

STATE OF MAINE.

1861.

---

Published by the Secretary of State, agreeably to Resolves of June 23, 1820,  
February 26, 1840, and March 16, 1842.

---

AUGUSTA:  
STEVENS & SAYWARD, PRINTERS TO THE STATE.  
1861.

---

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1861.

---

and change the same at pleasure, and may take, hold and convey for the objects of their association by gift, grant, bequest or otherwise, any estate real or personal, the annual income of which shall not exceed one thousand dollars, and they are hereby invested with all the rights, powers and privileges incident to similar corporations.

CHAP. 68.

May hold real and personal estate.

Powers, privileges, &c.

SECT. 2. The members of The Orono Educational Association may from time to time choose such officers and adopt such rules, regulations and by-laws not repugnant to the constitution and laws of this state as they shall deem expedient for the management of their affairs.

Officers.

By-laws.

SECT. 3. Any two of the corporators named in this act shall have power to call the first meeting of this corporation, by sending a written notice to the other corporators of the time and place of such meeting at least seven days before such time arrives.

First meeting, how called.

SECT. 4. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 8, 1861.]

### Chapter 68.

An act to incorporate the Ellsworth Horse Railroad Company.

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

SECT. 1. Warren Brown, Seth Tisdale, E. S. Tisdale, George W. Brown, John D. Hopkins, James H. Hopkins, S. B. Osgood, B. F. Hustin, their associates and successors, are hereby made a corporation by the name of the Ellsworth Horse Railroad Company, with power to construct, maintain and use a railroad, with convenient single or double tracks, from such point or points in the town of Ellsworth as shall be fixed by the selectmen of said town, with the assent in writing of said corporation, filed with said selectmen, and upon and over such of the streets and highways of said town, as shall be from time to time fixed and determined by said selectmen with the assent in writing of said corporation, filed as aforesaid; and also upon and over such other land in said town as said corporation may elect to build their road or roads upon and over; and said corporation shall have all the rights and powers of railroad corporations under existing provisions of law, to purchase or otherwise take any land necessary for making their railroad outside of the streets and highways, and shall be subject to all existing provisions of law applicable to railroad corporations for the assessment and payment of damages for land so taken.

Corporators.

Corporate name. Authorized to construct railroad, &c.

Rights, powers, &c.

**CHAP. 69.**

Maliciously or wilfully obstructing railroad.

Penalty.

If corporation or agent obstruct highway, &c.

Penalty.

Capital stock. Shares.

May hold real estate.

Time of completion limited.

Authorized to issue bonds not exceeding capital stock.

—terms, conditions, &c.

Annual returns.

SECT. 2. If any person shall wilfully and maliciously obstruct said corporation in the use of said road or tracks, or the passing of the cars or carriages of said corporation thereon, such person and all who shall be aiding or abetting therein, shall be punished by a fine not exceeding five hundred dollars, or may be imprisoned in the common jail for a period not exceeding three months.

SECT. 3. If said corporation or its agents or servants, shall wilfully and maliciously obstruct any highway, or the passing of any carriages over the same, such corporation shall be punished by a fine not exceeding five hundred dollars.

SECT. 4. The capital stock of said corporation shall not exceed forty thousand dollars, to be divided into shares of one hundred dollars each; and no shares in the capital stock shall be issued for a less sum, to be actually paid in on each, than the par value of the shares which shall be first issued.

SECT. 5. Said corporation shall have power to purchase and hold such real estate within said town as may be convenient or necessary for the purposes and management of said road, and if the said Ellsworth railroad corporation shall fail within three years to complete their railroad in all its parts with all the necessary equipments and put it in running order the whole distance as set forth in this bill, then this act shall be void.

SECT. 6. Said corporation is hereby authorized to issue bonds for the purpose of constructing or equipping their road, the amount thereof not to exceed the amount of capital stock paid in, of the same kind, in the same manner, upon the same terms, conditions and restrictions, and to be approved, certified, recorded and secured in accordance with law.

SECT. 7. Said corporation shall be deemed a railroad corporation, so far as to be subject to make such annual returns to the legislature as are or may be prescribed by law.

[Approved March 8, 1861.]

**Chapter 69.**

An act to amend the charter of the Augusta Mutual Fire Insurance Company.

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

Sec. 5 of act of incorporation, amended.

SECT. 1. The fifth section of the act entitled "an act to incorporate the Maine Mammoth Mutual Insurance Company," approved February twenty-fifth, eighteen hundred and forty-five, is hereby altered and amended, so that said section shall read as follows:

Members of company, duties of, &c.

SECT. 5. Every person who shall become a member of said company by effecting insurance therein, shall before he receives his