

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1864.

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

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1864.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1864.

CHAP. 367. tion. This act shall be void unless the road is completed and used for travel within five years from the passage of this act.

Act when to be void.

SECT. 16. This act shall take effect when approved by the governor.

Approved March 17, 1864.

Chapter 367.

An act to establish the Bangor Wet Dock Company.

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

Corporators.

SECT. 1. Rufus Dwinel, Samuel H. Dale, Isaac M. Bragg, Arad Thompson, Aaron A. Wing, Amos M. Roberts, Franklin Muzzy, Isaiah Stetson, Isaac Danforth, Charles Hayward, George Stetson, Samuel Larrabee, Sidney Thaxter, Samuel Veazie, George W. Pickering, Daniel B. Hinkley, Samuel P. Strickland, John L. Crosby, E. A. Upton and George K. Jewett, their associates, successors and assigns, are hereby constituted a body politic and corporate, by the name of the Bangor Wet Dock Company, with all the powers and privileges, and subject to the duties and liabilities contained in the laws of this state relating to similar corporations.

Corporate name.
Powers, privileges, &c.

Authorized to build, &c., wet dock.

Location.

SECT. 2. Said corporation is authorized to build, construct and maintain a suitable wet dock in connection with the European and North American Railway Company, by the erection of a dam across the mouth of the Kenduskeag stream, in Bangor, with a suitable draw or draws, with all necessary locks and lock gates, so as to insure a dock, basin or inner harbor, where vessels may lie afloat above such dam, with the right to demand and receive tolls, and establish all proper regulations for the preservation, maintenance and care of the same; *provided* the city council of the city of Bangor, shall accept of this act within two years from the approval thereof by the governor; and the same shall be constructed within such time as the city council may by their vote or votes determine, not exceeding the term of five years, otherwise this charter shall be void.

Toll authorized.

Proviso.

Proviso.

May occupy certain land, &c.

SECT. 3. This corporation shall have and enjoy all the powers necessary to carry into effect the objects and purposes of its incorporation; to occupy so much of the land, wharves and flats on the Kenduskeag stream as may be taken and used for the purposes of the European and North American Railway Company, with the consent of said railway company, not exceeding a width of ninety feet of the bed of the Kenduskeag stream, for piers and approaches to said draw or draws, as may be found necessary.

SECT. 4. Said corporation shall so construct their draw or draws, through said dam as to allow the safe and expeditious passage of vessels at all times of the tide, subject to such regulations as may be established by the city council of Bangor, when the river is free from obstruction by ice ; and shall have no right to prevent or delay the passage of vessels through the same ; and some suitable person shall always have charge of the draw or draws, lock or locks through said dam at the expense of said corporation ; *provided* that nothing contained in this act shall limit or prescribe any limitation on the powers of the said railway company, or in any way relieve said railway company of any duties or obligations imposed on it by law ; and it shall be lawful for said corporation and the company established by this act, to enter into contract for the execution of the powers and rights hereby granted by the said company jointly or otherwise, at the discretion of the directors of the respective companies.

Draws, how constructed.
—how regulated, &c.

Proviso.

May enter into contract for execution of powers and rights.

SECT. 5. A toll is hereby established on all vessels passing through said draw or draws so built or maintained, and through the lock or locks provided by said wet dock company, and a lien is created for the benefit of said company on all vessels passing through the same for the payment of said toll, to be fixed by said company, with all necessary dock dues and charges ; and these tolls and dock dues shall at the end of a year after said dock is completed, be subject to the revision and control of the legislature of this state.

Toll established.

—lien created for payment of.

—subject to control of legislature.

SECT. 6. The capital stock of said company shall be divided into shares of one hundred dollars each, and to an amount sufficient to build and complete said dock, not to exceed the sum of one hundred thousand dollars. And for the purpose of obtaining subscriptions to said stock, books shall be opened under the direction of the persons named in the first section of this act, first giving ten days notice thereof in some public newspaper printed in Bangor, of the time and place where said books are opened. And all persons owning wharves, shores or docks above said dam on either side of the Kenduskeag, and between it and the head of tide water, shall have the right at any time within thirty days after the expiration of said notice, to take said stock in the proportion of the value of said wharves owned by them on said Kenduskeag stream, said valuation to be determined upon by the assessors of the city of Bangor. And if any one of such owners fails to subscribe and pay for his share of said stock, the same shall be disposed of by the corporators named in this act, in such manner and to such parties as they deem expedient, giving preference to parties residing in Bangor, first offering the same to the owners of said wharves in proportion as aforesaid.

Capital stock.
Shares.

—subscriptions to, how obtained.

Owners of wharves, &c, shall have right to take stock.

Valuation, how determined.

If owner of wharves, &c, fails to subscribe, stock how disposed of.

CHAP. 368.

City of Bangor,
right to take
one half of
stock, &c.

—terms.

Rate of shares
to be reduced.

First meeting,
how called.

SECT. 7. The city of Bangor shall have the right to purchase or take one half of the stock, property and rights of said company at any time within ten years hereafter, paying the actual cost thereof, and ten per centum in addition to the actual cost; and the shares of said company shall thereafter be at the rate of fifty dollars per share instead of one hundred dollars per share.

SECT. 8. The first meeting for the organization of this company to be called by any three persons named in this act, by publishing notice of the same in the daily papers in the city of Bangor, thirty days, stating the time, place and object of the meeting.

SECT. 9. This act takes effect on its approval by the governor.

Approved March 17, 1864.

Chapter 368.

An act to incorporate the Franklin Telegraph Company.

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

SECT. 1. D. V. B. Ormsby, Francis G. Butler, Samuel Belcher and Reuben Cutler, their associates and successors, are hereby created a body corporate, by the name of the Franklin Telegraph Company, for the purpose of constructing, maintaining and operating lines of electric telegraph from some point in the town of Farmington to Leeds junction in the town of Leeds, or from said some point in the town of Farmington to some point in the town of Skowhegan, with all the rights and privileges, and subject to all the liabilities provided by the general laws of the state, relating to corporations and telegraph companies.

SECT. 2. The said company is authorized to locate and construct its lines of telegraph aforesaid along and upon any public highways or railroad, or private property, or across any land, by the erection of any fixtures; but the same shall not be so constructed as to incommode the public use of said highways, and with the consent of said railroad company; *provided however*, said lines shall be constructed within three years after the passage of this act.

SECT. 3. The company shall have power by agreement with other persons or bodies corporate, to connect their lines of telegraph with other lines of telegraph constructed at either Leeds junction or at Skowhegan, or with any other company whose lines may hereafter cross theirs.

SECT. 4. The said company shall have authority to cut down any trees except ornamental or shade trees, which may be within

Authorized to
cut down trees
in highway, &c.

—not to incommode public
use of highway,
&c.

May connect
with other
lines.

Rights,
privileges, &c.

Route of line.

Corporate
name.

Corporators.