

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1864.

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1864.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1864.

Chapter 369.

An act to incorporate the Beaver Brook Dam Company.

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

Corporators.

SECT. 1. Charles E. Dole, Eben S. Coe, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of the Beaver Brook Dam Company, with all the powers and privileges of similar corporations.

Corporate name.

Authorized to build dams, &c.

SECT. 2. The said company are authorized to improve the said Beaver brook, (emptying into the east branch of the Mattawamkeag in the county of Aroostook,) by building dams and removing obstructions, so as to render said brook more convenient for the driving of logs down the same.

Toll established.

SECT. 3. Said company may demand and receive a toll of fifteen cents for each thousand feet board measure and stumpage scale, on all logs which may be driven down said brook ; and shall have a lien upon all logs for the payment of the tolls. And if said toll is not paid within twenty days after the passage of the logs, or a major part of them, the company may advertise such logs for sale in some newspaper printed in Bangor, giving ten days notice of time and place of sale, and sell at public auction so many of said logs as shall be necessary to pay the charges and tolls.

—lien created for payment of.
—if not paid, may be sold at auction.

Account of cost shall be kept.

SECT. 4. The said company shall keep a true and accurate account of the sums said persons now incorporated have expended, and said company may expend for such improvements, which shall be open to inspection at all times to any one operating on said brook ; and when the tolls received shall have paid the costs of the improvements and twelve per cent. annual interest and all sums necessary for repairs, the toll shall be reduced to a sum sufficient to keep the works in repair.

—to be kept open for inspection.

—toll, when shall be reduced.

SECT. 5. This act shall take effect on and after its approval by the governor.

Approved March 21, 1864.

Chapter 370.

An act to amend former acts to incorporate the Penobscot, Lincoln and Kennebec Railroad Company.

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

Corporate name changed.

SECT. 1. The name of said corporation is hereby changed so as to read Knox and Lincoln Railroad Company.

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SECT. 2. Said railroad company is hereby authorized to construct its road from some point at or near tide water in the city of Rockland, through the counties of Knox and Lincoln, to a point on the west side of the Kennebec river between the south line of Bath and the north line of Richmond, and to connect with the Portland and Kennebec Railroad, and may construct bridges with suitable draws therein, as may be prescribed by the board of railroad commissioners, over any tide waters on the line of said road.

Authorized to construct road.
Location.

SECT. 3. To aid in the construction and equipment of said railroad, bonds payable to the bearer thereof within thirty years, with coupons for interest at three per cent. semi annually; may be issued by the following cities and towns or either of them, in amounts not exceeding the sums hereafter named, to be determined by a major vote of the qualified voters of said cities and towns, given in at meetings thereof, called according to law for that purpose, to wit: Rockland, four hundred thousand dollars; Thomaston, two hundred thousand dollars; Warren, fifty thousand dollars; Waldoborough, one hundred and fifty thousand dollars; Damariscotta, one hundred thousand dollars; Newcastle, one hundred thousand dollars; Nobleborough, twenty-five thousand dollars; Wiscasset, one hundred and fifty thousand dollars; and any other town in the counties of Knox or Lincoln, a sum not exceeding ten per cent. of the valuation of such towns by the state valuation of eighteen hundred sixty; said bonds shall not be delivered to said railroad company until at least three hundred thousand dollars of the stock of said company has actually been subscribed, paid in and expended in the construction of said road, which fact shall be determined by the certificate of the treasurer of said corporation, under oath, a copy of which certificate shall be recorded by the town or city clerk of each town or city issuing bonds by authority of this act.

Bonds may be issued by certain cities and towns.
—when payable, &c.
—amount, how determined.

Names of cities and towns, &c.

Bonds, when to be delivered.

Amount subscribed, paid in, &c., how determined.

SECT. 4. All of said bonds shall bear the same date, and one twentieth part thereof issued by any city or town shall be made payable each year, after ten years from said date; and it shall be the duty of said railroad company to pay all the bonds that may be thus issued for its benefit, with the coupons thereon, as the same shall fall due and become payable.

Bonds, date of, and when payable.

SECT. 5. Said railroad company shall execute and deliver to the cities and towns issuing bonds as aforesaid, a mortgage of all its property and rights of property in said road, present and prospective, including its franchise, conditional to pay said bonds and coupons as they shall become due, and to hold said cities and towns harmless therefrom.

Railroad co. shall mortgage its property for payment of bonds.

SECT. 6. In case said railroad company shall fail to pay said coupons as they shall fall due on said bonds at maturity, and said failure shall continue for the space of sixty days after demand shall

If company fail to pay coupons when due.

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—meeting of the municipal officers of the cities, &c., may be called.
—notice of, how given.

—how organized.

—if failure to pay continues.

—may choose board of managers.

—how organized.

—authorized to take possession of road, &c.

Powers, duties, &c.

—term of office.

—shall make report of doings, &c.

—meeting, how called.
Managers, when to surrender road, &c.

Managers, how elected, &c.

Road, how operated.

If failure to pay coupons or bonds, shall continue, &c.

—mortgage shall be foreclosed.

May contract to operate or lease road.

have been made on the treasurer therefor, it shall be lawful for the municipal officers of any city or town whose bonds or coupons shall have thus been dishonored, to call a meeting of the municipal officers of the cities and towns named in said mortgage, by publishing a notice of the time, place and object of said meeting, three weeks successively in some public newspaper printed in the counties of Knox or Lincoln, and if at such meeting, which shall be organized by the choice of a chairman and clerk, the latter to be duly sworn, it shall be made to appear that such failure to pay as aforesaid continues, the municipal officers thus assembled may proceed to choose by ballot, a board of managers consisting of not more than nine members, a majority of whom shall constitute a quorum, who shall organize by the choice of a secretary and president, and may choose any other officers which under the charter and by-laws of said company, may be chosen by a board of directors, and said board of managers shall be authorized to take possession of said road and all its property and rights of property therewith connected, and operate the same, and shall have all the powers and be subject to all the duties and liabilities of a board of directors, and shall hold their offices for one year from the time of their election and until others are chosen in their stead. Said managers shall make a report of their doings and of the amount of money they have received and paid out on account of said railroad to a meeting of the municipal officers of the cities and towns aforesaid, at least once in every year, which meeting shall be called by the president and secretary of said board of managers. When sufficient money has been received by said board over and above what is necessary to pay the expenses for operating said road, including necessary repairs and improvements, to pay all coupons and bonds then due and unpaid, it shall surrender said road with all its property and rights of property to said company. In the election of said board of managers, the municipal officers aforesaid shall be entitled to one vote for every hundred dollars in bonds issued by their respective cities or towns, and the major part of the municipal officers of each city or town shall control the vote thereof. While in their possession, said road shall be operated in the name of the managers of the Knox and Lincoln Railroad Company. If the failure to pay said coupons or bonds shall continue for the space of twenty full years after possession shall have been taken under the mortgage as aforesaid, the same shall be thereby fully foreclosed, unless prior to that time a sufficient tender of payment shall have been made by or on behalf of said company.

SECT. 7. Said railroad company or said managers when said railroad is in their possession as aforesaid, may contract with any other railroad company or other parties to operate said road or

may lease the same for a term of years ; *provided however*, any contract for operating said road or for the lease thereof by said managers, shall terminate when the possession of the road shall be restored to said company in manner as before provided. CHAP. 371.
Proviso.

SECT. 8. The bonds herein authorized to be issued, shall be signed by the mayor and treasurer of cities, and one of the selectmen and treasurer of the towns issuing them, and countersigned by the president of said railroad company, and shall contain endorsement, *Issued for the benefit of the Knox and Lincoln Railroad Company by the — of —.* Bonds, how
authenticated.

SECT. 9. The time allowed in the acts to which this is additional for commencing and completing said railroad is hereby extended seven years. Time for com-
pleting road,
extended.

SECT. 10. In case the Wiscasset and Kennebec Railroad Company shall construct its road from Wiscasset to Richmond, Bowdoinham or Bath, within two years from the time this act shall take effect, it shall be lawful for the Knox and Lincoln Railroad Company to connect its road therewith at Wiscasset, and all the rights, privileges and immunities herein granted to the Knox and Lincoln Railroad Company, shall be enjoyed by the Wiscasset and Kennebec Railroad Company in the construction of its road from Wiscasset to its connection with the Portland and Kennebec Railroad. Authorized to
connect with
Wiscasset and
Kennebec
Railroad Co.
at Wiscasset.

Rights,
privileges, &c.

Approved March 21, 1864.

Chapter 371.

An act to make valid the doings of the town of Bethel in exempting certain mill property from taxation.

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

SECT. 1. The action of the town of Bethel on the twelfth day of December, in the year of our Lord one thousand eight hundred and sixty-three, exempting the Bethel Steam Mill Company from taxation for the term of ten years, is hereby made valid and legal. Bethel, certain
doings of, made
valid.

SECT. 2. This act shall take effect on its approval.

Approved March 21, 1864.