

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FORTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1868.

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1868.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1868.

tions or additions by a two-thirds vote, at a legal meeting of the corporation called for the purpose. CHAP. 569.

SECT. 7. All meetings of said corporation after the first shall be notified by warrant of the assessors, notices of which shall be posted up in two public places within its limits seven days prior to the meeting, stating the time, place and purposes of the meeting; and a meeting shall at any time be called on the written application of seven legal voters to said assessors, stating the time, place and purposes for which said meeting is requested.

Meetings, and
how called.

SECT. 8. Eben Woodbury, James C. Madigan, and Llewellyn Powers, or either of them, are hereby authorized to call the first meeting of said corporation, and for that purpose to notify the legal voters thereof to meet at some suitable time and place within the limits aforesaid, the notice to be posted up in two public places within said limits seven days at least before the time of said meeting; and either of said persons are authorized to preside at said meeting until after its organization and until its officers shall be chosen and sworn; and afterward at all regular meetings of the corporation a moderator shall be chosen in the same manner and with the same powers as in town meetings.

Organization
and proceed-
ings therein.

SECT. 9. At the first meeting of said corporation, called agreeable to section eighth of this act, the legal voters shall vote by ballot on the question of accepting this charter, and if two-thirds of the voters present at said meeting shall vote in favor of its acceptance, then this act shall take effect, and the corporation shall then proceed to organize and choose its officers.

Acceptance of
charter.

SECT. 10. This act shall take effect when approved by the governor, so far as to empower the said first meeting to be called, and if this charter shall be accepted as provided in section nine of this act, then the same shall take and have complete effect in all its parts.

When to take
effect.

Approved February 24, 1868.

Chapter 569.

An act to incorporate the International Railway Company.

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

SECT. 1. Joseph Granger, James S. Hall, William Duren, William Todd, Robert Watson, D. K. Chase, Benjamin Young, William T. King, William Deming, John McAllister, E. C. Gates, James Murchie, Joseph E. Eaton, A. H. Sawyer, Putnam Rolfe and George E. Downes, their associates, successors, and assigns,

Corporators.

CHAP. 569.

Name, rights,
privileges, &c.

Purpose.

Location.

Powers, &c.

May take lands
for location and
purposes of
construction.Proviso as to
width of track,
and payment
for lands so
taken.Land damages,
how determin-
ed, &c.Limit as to time
for application
for estimate of
damages.Provisions as to
removal of
trees.

are hereby made and constituted a body politic and corporate, by the name of the International Railway Company, and by that name may sue and be sued, plead and be impleaded, and shall enjoy all proper remedies at law or in equity, to secure and protect them in the exercise and use of the rights and privileges, and in the performance of the duties hereinafter granted, and to prevent all invasion thereof, or interruption in exercising and performing the same. And the said corporation is hereby authorized and empowered to locate and construct, and finally complete, alter and keep in repair, a railroad, with one or more sets of rails or tracks, with all suitable buildings, tunnels, viaducts, turnouts, culverts, drains, and all other necessary appendages, from some point in the town of Milford to some point in the town of Princeton. And said corporation shall be and hereby is invested with all the powers, privileges and immunities, which are or may be necessary to carry into effect the purposes and objects of this act as herein set forth. And for this purpose said corporation shall have the right to take and hold, or to purchase, so much of the land and other real estate of private persons and corporations as may be necessary for the location, construction and convenient operation of said railroad; and shall also have the right to take, remove and use, for the construction and repair of said road and appurtenances, any earth, gravel, stone, timber or other materials, on or from the land so taken; *provided however*, the land so taken shall not exceed six rods in width, except where greater width is necessary for the purpose of excavation and embankment. And provided, also, in all cases said corporation shall pay for such lands, estate or materials such price as they and the respective owner or owners thereof may mutually agree upon; and in case said parties shall not otherwise agree, then said corporation shall pay such damages as shall be ascertained and determined by the county commissioners for the counties of Penobscot and Washington respectively, in the same manner and under the same conditions as are by law provided in the case of laying out highways. And the land so taken by said corporation shall be held as lands taken and appropriated for highways. And no application to said commissioners to estimate said damages shall be sustained unless made within three years from the time of taking such lands and other property; and in case said railroad shall pass through any woodland or forests, the said company shall have the right to remove or fell any of the trees standing thereon within four rods from such road, which by their liability to be blown down, or from their natural falling might obstruct or impair said railroad, by paying a just compensation therefor, to be recovered in the same manner as is provided for the recovery of the other damages recovered in this act. And furthermore, said corporation shall have all the powers, privileges and

immunities, and be subject to all the duties and liabilities, provided respecting railroads in chapter fifty-one of the revised statutes, not inconsistent with the express provisions of this charter, and subject also to all the provisions of chapter thirty-six of the laws of eighteen hundred fifty-eight, relating to the safety and convenience of travellers on railroads.

CHAP. 569.

General laws relating to railroads applicable to this corporation.

SECT. 2. The capital stock of said corporation shall consist of not less than one thousand shares, nor more than ten thousand shares, of one hundred dollars for 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 by the members of said corporation in the manner hereinafter provided, and shall hold their offices until others shall have been duly elected and qualified to take their places, a majority of whom shall be a quorum for the transaction of business; and they shall elect one of their number to be president of the board, and he shall be also president of the corporation, and shall have authority to choose a clerk and a treasurer, who shall give bonds to the corporation in the sum of ten thousand dollars, for the faithful discharge of his trust. And any ten of the persons named in the first section of this act are hereby authorized, at a meeting holden for that purpose, with or without notice, to accept this act and organize the said corporation.

Capital.

Government.

Tenure of office.

Officers and their bonds.

Organization.

SECT. 3. Said corporation shall have power to make, ordain and establish all necessary by-laws and regulations consistent with the constitution and the laws of this state, for their own government, and for the due and orderly conducting of their affairs and the management of their property.

By-laws and regulations.

SECT. 4. The president and directors for the time being are hereby authorized and empowered, by themselves or their agents, to exercise all the powers herein granted to the corporation for the purpose of locating, constructing, and completing said railroad, and for the transportation of persons, goods and property of all descriptions, and all such power and authority for the management of the affairs of the corporation as may be necessary and proper to carry into effect the objects of this grant; to purchase and hold land, materials, engines and cars, and other necessary things in the name of the corporation, for the use of said road, and for the transportation of persons, goods and property of all descriptions; to make such equal assessments from time to time on all the shares in said corporation, as they may deem it necessary and expedient in the execution and progress of the work, and direct the same to be paid to the treasurer of the corporation. And the treasurer shall give notice of all such assessments, and in case any subscriber or stockholder shall neglect to pay any assessment on his share or shares for the space of thirty days after such notice is given, as shall be prescribed by the by-laws of said corporation,

Powers of president and directors in location, construction, transportation, &c.

Purchase of lands and other property.

Assessments on shares.

Shareholders, how notified, and penalty for neglect of payment.

CHAP. 569.

Sale and trans-
fer of shares.

Liabilities and
rights of delin-
quent share-
holders.

Proviso as to
amount of
assessments.

Transportation,
regulations as
to fares, cars,
loads, &c.

Annual and
other meetings

Connections.

Leases.

Conditions as to
transportation
of freight and
passengers to
and from other
roads.

the directors may order the treasurer to sell such share or shares at public auction, after giving such notice as may be prescribed as aforesaid, to the highest bidder, and the same shall be transferred to the purchaser, and such delinquent subscriber or stockholder shall be held accountable to the corporation for the balance, if his share or shares shall sell for less than the assessments due thereon, with the interest and costs of sale, and shall be entitled to the overplus if his share or shares shall sell for more than the assessments due with interest and costs of sale; *provided however*, that no assessments shall be laid upon any share in said corporation of a greater amount in the whole than one hundred dollars.

SECT. 5. A toll is hereby granted and established for the sole benefit of said corporation, upon all passengers and property of all descriptions which may be conveyed or transported by them upon said road, at such rate as may be agreed upon and established from time to time by the direction of said corporation. The transportation of persons and property, the construction of wheels, the forms of cars and carriages, the weights of loads, and all other matters and things in relation to said road, shall be in conformity with such rules, regulations and provisions as the directors shall from time to time prescribe and direct.

SECT. 6. The annual meeting of the members of said corporation shall be holden on the first Monday of November, or such other day as shall be determined by the by-laws, at such time and place as the directors for the time being shall appoint; at which meeting the directors shall be chosen by ballot, each proprietor by himself or proxy, being entitled to as many votes as he holds shares; and the directors are hereby authorized to call special meetings of the stockholders whenever they shall deem it expedient and proper, giving such notice as the corporation by their by-laws shall direct.

SECT. 7. The corporation is hereby invested with power to make connections with any other road or roads, and on such terms as the members may deem expedient and proper; and it is hereby authorized to lease the road, either before or after it shall have been completed, on such terms and for such time as the members, at a meeting regularly called for that purpose, shall determine.

SECT. 8. No discrimination in the rules of freight or passengers shall be made by said company, nor by any party who may operate its line, or any part thereof, between railroads having the right to connect with its railroad, but all passengers and freight coming from or going to any other road having such right to connect, shall be transported promptly and on terms alike favorable by said company over its own road, or by any party operating the same, and on terms as favorable as the like service is or shall be performed for transportation commencing and terminating on the line of said way of said company.

SECT. 9. If the said corporation shall not have organized, and the location, according to actual survey of the route, filed with the county commissioners of the counties through which the same shall pass on or before the first day of July, in the year of our Lord one thousand eight hundred and seventy, or if the said corporation shall fail to complete said railroad on or before the first day of July, in the year of our Lord one thousand eight hundred and seventy-three, in either of the above mentioned cases this act shall be null and void.

CHAP. 570.

Conditions as
to duration of
charter.

Approved February 24, 1868.

Chapter 570.

An act to confirm the organization and make valid the doings of Silver Ridge plantation in the county of Aroostook.

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

SECT. 1. The organization of Silver Ridge plantation, in the county of Aroostook, is hereby confirmed and made valid, the same as though its clerk had made the returns of its organization as required by law, and all the acts and doings of said plantation in voting to raise money for school and other purposes are hereby legalized.

Organization
legalized.Certain doings
made valid.

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

Approved February 24, 1868.

Chapter 571.

An act to incorporate the Camden Savings Bank.

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

SECT. 1. Jonathan Huse, Samuel D. Carleton, Ephraim K. Smart, Alexander Martin, Benjamin C. Adams, Horatio E. Alden, William Carleton, Gershom F. Burgess, David Talbot, Charles F. Richards, Joseph H. Bowers, Hosea B. Eaton, Sidney A. Jones, Henry Knight, Henry H. Cleveland, Joshua G. Norwood, Thomas B. Grose, Nathaniel F. Talbot, John D. Rust, Joseph H. Gould, Jotham Shepherd and Granville E. Carleton, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of the Camden Savings Bank, with power by that name to prosecute and defend suits at law and in equity, to

Corporators.

Name, powers,
&c.