

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115-

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1870.

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

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AUGUSTA:  
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.  
1870.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1870.

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lished in some newspaper in the city of Portland, seven days before the said meeting. CHAP. 503.

SECT. 9. This act shall take effect when approved.

Approved March 23, 1870.

### Chapter 503.

An act to authorize the town of Norridgewock to take stock in the Norridgewock bridge.

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

SECT. 1. The town of Norridgewock is hereby authorized in its corporate capacity, to subscribe, pay for and hold stock in the Norridgewock Bridge Corporation, to an amount not exceeding five thousand dollars, and raise money by loan or otherwise necessary for the purpose.

Authorized to subscribe and pay for stock in Norridgewock bridge, and raise money by loan or otherwise.

SECT. 2. The authority here given shall not be exercised, until the inhabitants of said town of Norridgewock, at a meeting called for the purpose, shall authorize the same by a two-thirds vote.

Authority not to be exercised, unless authorized by a two-thirds vote.

SECT. 3. This act shall take effect when approved.

Approved March 23, 1870.

### Chapter 504.

An act to incorporate the Bridgton Branch Railroad Company.

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

SECT. 1. John P. Perley, Charles E. Gibbs, William F. Perry, William A. Stevens, F. J. Littlefield, John W. Fowler, George S. Farnsworth, William W. Cross, Robert A. Cleaves, Luther Billings, Albert Fogg and George Taylor, their associates, successors and assigns, are hereby made and constituted a body politic and corporate by the name of the Bridgton Branch Railroad 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 bridges, tunnels, viaducts, turnouts, cul-

Corporators.

Name.

Rights and privileges.

Location and route.

CHAP. 504.

verts, drains and all other necessary appendages from some point in the town of Bridgton to some point on the line of the Portland and Ogdensburg Railroad. 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 the said corporation shall pay such damages as shall be ascertained and determined by the county commissioners of the county of Cumberland or Oxford 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 and fifty-eight relating to the safety and convenience of travellers on railroads.

**SECT. 2.** The capital stock of said corporation shall consist of not less than seven hundred and fifty shares and not more than three thousand shares, 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 cor-

May take land for location, construction and operation of road.

May remove gravel, stone, timber, &c.

Proviso.

In case of disagreement, damages shall be ascertained by county commissioners.

Application for estimate of damages to be made within three years.

Trees standing within four rods of road may be removed.

Compensation to be paid therefor.

Powers, privileges and liabilities.

Capital stock and shares.

Directors, how chosen.

poration in the manner hereinafter provided, and shall hold their offices until others shall be chosen and 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 also be 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 six of the persons named in the first section of this act are hereby authorized at an election holden for that purpose, with or without notice, to accept this act and organize the said corporation.

Quorum.

President, clerk and treasurer.

Bond of treasurer.

Acceptance of act.

By-laws.

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

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 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, 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 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 assessment shall be laid upon any share in said corporation of a greater amount on the whole than one hundred dollars.

President and directors, powers of.

Assessments.

Treasurer to give notice of assessments.

Neglect to pay, shares may be sold by auction.

Overplus, how disposed of.

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Toll granted.

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 directors 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.

Transportation of persons and property, construction of wheels and forms of cars, &amp;c.

Annual meeting.

SECT. 6. The annual meeting of the members of said corporation shall be holden on the first Monday in July 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.

Directors to be chosen by ballot.

Special meetings.

Connection with other roads.

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.

May lease road.

Organization, location, &amp;c., when to be made.

SECT. 8. If the corporation shall not have been organized and the location, according to actual survey of the route, filed with the county commissioners of Cumberland and Oxford counties on or before the first day of July, in the year of our Lord one thousand eight hundred and seventy-two, and if the 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-four, then this act shall be null and void.

Bonds may be issued to aid construction, &amp;c., of road.

SECT. 9. To aid in the construction and equipment of the Bridgton Branch Railroad, bonds payable to the bearer thereof within thirty years with coupons for interest at three per centum semi-annually, may be issued by any town on the line of said road or any town interested in the construction of said road, in sums not exceeding twenty per centum of the valuation of said towns according to the state valuation for the year of our Lord one thousand eight hundred and sixty, to be determined by a two-thirds vote of the qualified voters of said city and towns, given in at meetings thereof, called according to law for that purpose. Said bonds shall not be delivered to said railroad company until at least two hundred thousand dollars of the stock of said company has actually been subscribed, paid in and expended in the construction

Delivery of bonds.

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 city or town clerk of each city or town issuing bonds by authority of this act.

SECT. 10. 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.

Date of bonds,  
and terms of  
payment.

SECT. 11. 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.

Company to  
mortgage its  
property, &c.,  
conditional to  
pay bonds issued  
by cities and  
towns.

SECT. 12. 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 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 Cumberland and Oxford, 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

Failure to pay  
coupons as they  
fall due, proceed-  
ings in case of.

Managers author-  
ized to take  
possession of  
road, &c.

Report of mana-  
gers of their  
doings.



CHAP. 505.

said board of managers, over and above what is actually necessary to pay the expenses of 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 the vote thereof. While in their possession, said road shall be operated in the name of the managers of the Bridgton Branch 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.

Surrender of road, when it may be made.

Foreclosure, when completed.

Bonds, certain officers required to sign.

SECT. 13. 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 Bridgton Branch Railroad Company by the \_\_\_\_\_ of \_\_\_\_\_."

SECT. 14. This act shall take effect when approved.

Approved March 23, 1870.

Chapter 505.

An act to incorporate the Presumpscot Park Association.

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

Corporators.

SECT. 1. Samuel H. Tewksbury, Charles R. Milliken, W. W. Harris, George W. Ricker, J. S. Lyford, John T. Berry, George Burnham junior, William G. Davis, George Waterhouse, George O. Goss, Samuel J. Anderson, George Lancaster, Charles E. Jose, James A. McLellan, S. W. Hapgood and L. D. M. Sweat, are hereby incorporated by the name of the Presumpscot Park Association, for the purpose of improving the breed and quality of horses in this state, by means of public exhibitions and the distribution of premiums, and otherwise as in their judgment will best secure the purpose aforesaid ; and said society may choose all needful officers, and have power to purchase and hold property, real and personal, to an amount not exceeding twenty-five thousand dollars, and pass any regulations and by-laws not inconsistent with

Name.

Purpose.

Officers.

May hold real and personal estate.

By-laws.