

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1872.

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1872.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1872.

Chapter 164.

An act to incorporate the Piscataquis Central Railroad Company.

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

SECT. 1. John G. Mayo, Elbridge A. Thompson, Ephraim Flint, Charles H. B. Woodbury, S. Orman Brown, Elias J. Hale, William N. Thompson, Benjamin B. Vaughan, William P. Lampson, Theodore Wyman, Frank M. Ford, Jason Hassell, Moses W. Brown and William Briggs, their associates, successors and assigns, are hereby made and constituted a body politic and corporate, by the name of the Piscataquis Central 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, culverts, drains and all other necessary appendages, from some point in the town of Dexter, in the county of Penobscot, as near the northern terminus of the Dexter and Newport railroad as may be, for making convenient connection therewith, through Sangerville, Dover, Foxcroft, Sebec, Barnard and Williamsburg, in the county of Piscataquis, to some point in the town of Brownville, in said county of Piscataquis, or from said point in said Dexter over the most practical route, by or through the villages of Dover and Foxcroft or either of them, and through the village of Sebec to some point in said Brownville; 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

Corporators.

Corporate name.

Remedies at law.

Authorized to locate, construct and complete railroad, &c.

Route of road.

Powers, privileges, &c.

Right to take and hold real and personal estate.

May take materials, &c.

Proviso; width of land taken.

Proviso, for payment of land, &c., taken.

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In case of disagreement, damages, how settled.

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 for the county where such land or other property may be situated, 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 woodlands 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 mentioned 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.

Application for damages to be made within three years.

May remove trees.

Subject to ch. 51, revised statutes.

Capital stock.

SECT. 2. The capital stock of said corporation shall consist of not less than two thousand five hundred shares nor more than ten thousand shares, and the immediate government and direction of the affairs of said corporation shall be vested in seven, nine or eleven directors, or in such number of directors as said railroad company may fix, according to the provisions of chapter one hundred and seventy-seven of the laws of eighteen hundred and seventy-one, entitled "an act to authorize railroad companies to fix the number of 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 said directors shall have authority to choose a clerk and a treasurer who shall give bonds to the corporation in the sum of ten thousand dollars at least, with sureties to the satisfaction of the directors, 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 said corporation.

Shares.

Affairs of corporation vested in directors.

Officers, how chosen.

Quorum.

President.

Clerk and treasurer.
Treasurer to give bonds.

First meeting, how called.

By-laws.

SECT. 3. Said corporation shall have 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 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 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 assessment due thereon with the interest and costs of sale; *provided however*, that no assessment shall be laid upon any share in said corporation of a greater amount than one hundred dollars in the whole.

Directors authorized to exercise all powers of the company.

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 form of cars and carriages, the weight 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, subject to the general laws of the state.

Toll.

Transportation, construction, &c., to be regulated by the directors.

SECT. 6. The annual meeting of the members of said corporation shall be holden on the first Tuesday of November, or such other day as shall be determined by the by-laws, at such time and

Annual meeting, when holden.

By-laws.

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Directors, how chosen.

Special meetings, when called.

May connect with other roads.

May lease road before or after completion.

Authorized to issue bonds.

Location, completion, &c., when to be made.

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, by 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. Said corporation is authorized to issue its bonds and to secure the same by a mortgage of its road, franchise and property, or in any other manner.

SECT. 9. The said company shall have two years in which to complete and file the location of said railroad, and five years to construct the same.

SECT. 10. This act shall take effect when approved.

Approved February 27, 1872.

Chapter 165.

An act to change the names of certain persons.

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

Names changed.

SECT. 1. That Mary Williams Pecker of Cumberland, be allowed to take the name of Mary Williams; that Willie Dean Cross of Morrill, be allowed to take the name of Willie Dean Shaw.

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

Approved February 27, 1872.

Chapter 166.

An act to authorize the city of Portland to grant further aid in the construction of the Portland and Ogdensburg Railroad.

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

City of Portland authorized to loan its credit.

SECT. 1. The city of Portland is hereby authorized to loan its credit to the Portland and Ogdensburg Railroad Company, in aid