

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

331

OF THE

FIFTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1873.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1873.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1873.

CHAP. 302. the duties and liabilities provided by the laws of this state, concerning manufacturing corporations.

Privileges, &c.

Purpose.

SECT. 2. Said corporation is authorized to manufacture cheese, and to transact any other business usually carried on by cheese manufacturing corporations for the purposes of associated dairying.

Capital stock and shares.

The capital stock of said corporation shall not exceed the sum of three thousand dollars, to be divided into such number of shares as the company may determine; and said corporation may hold real and personal estate to the amount of said capital stock, with full power to manage and dispose of the same.

First meeting, where held and how called.

SECT. 3. The first meeting of said corporation shall be held in Mexico, and shall be called by a notice thereof seven days prior to said meeting, signed by two or more persons named in the first section of this act, a copy of which, shall be given to each of the other corporators.

SECT. 4. This act shall take effect when approved.

Approved February 17, 1873.

Chapter 302.

An act to incorporate the Island Railroad Company.

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

Corporators.

SECT. 1. Henry H. Clark, Abraham Richardson, J. R. Freeman, Eaton Clark, William G. Parker, Nathan Clark, James Flye, W. W. A. Heath, Daniel Fernald, Lewis Freeman, Eben Fernald, James Robinson, William Herrick, S. H. Clark, Henry Clark, A. J. Whiting, John W. Somes, Herschel Heath, N. G. Salisbury, O. Allen, John J. Somes, J. E. Hamor, John Somes, Samuel H. Cousins, Tobias Roberts, T. L. Roberts, Stephen Higgins, A. F. Higgins, L. H. Somes, George W. Sargent, William T. Holmes, Jonathan Rich, L. T. Hopkins, Rufus R. Emery, John L. Newman, and Seth W. Lurvey, their associates, successors and assigns, are hereby made and constituted a body politic and corporate by the

Corporate name.

name of the Island Railroad Company, and by that name may sue and be sued, plead and be impleaded, and shall be entitled to all proper remedies at law and in equity to secure and protect them in the exercise and use of the rights and privileges conferred by this act, and in the performance of the duties hereinafter imposed and enjoined, and to prevent all invasion thereof, or interruption in exercising and performing the same, and shall be subject to all duties and liabilities imposed upon similar corporations by the laws of the state.

Rights, duties, privileges and liabilities.

SECT. 2. The said corporation is hereby fully empowered to survey, locate, construct, complete, alter, equip, and keep in repair, a narrow gauge railroad with one or more tracks, and all necessary buildings, tunnels, viaducts, turnouts, side tracks, culverts, bridges, drains, and all other needful appendages and appurtenances, from some point in or near the city of Ellsworth, thence southeasterly through the town of Trenton to and across the narrows, thence through the town of Mt. Desert by way of Somesville, thence through the town of Tremont to tide waters at Clark's point, with a branch from some point at or near Mt. Desert narrows, and thence through the town of Eden to Bar harbor in East Eden.

CHAP. 302.

Empowered to locate and construct narrow gauge railroad.

Route of road.

Branch.

SECT. 3. Said corporation is hereby invested with all the powers, privileges and immunities which may be necessary to carry into effect the object and purposes of this act, with the right, if necessary, to bridge for the use of said road any tide waters, navigable rivers or streams, provided said bridges shall be so constructed as not to prevent or unnecessarily obstruct navigating said waters; and to this end it shall have the right to take or to purchase and hold, or assign and convey, so much of the land and other real estate of private persons and corporations as may be found necessary or convenient 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 also for the repair of said railroad and its 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 four rods in width, except where greater width is necessary for the purpose of excavation or embankment; *and provided also*, in all cases said corporation shall pay for such lands, estate or materials, such price as they and the owner or owners thereof may mutually agree upon; and in case said parties shall not agree as to the price to be paid, then the said corporation shall pay, in any given case, such damages as shall be ascertained and determined by the county commissioners of the county of Hancock, in the same manner and under the same conditions as are or may be by law provided by the general laws of the state relating thereto. The lands so taken by said corporation shall be held by it in like manner as lands taken and appropriated for highways.

Powers, privileges and immunities.

May bridge navigable waters.

May hold real estate.

May take and use materials.

Proviso.

Land taken for road, width of.

—compensation for.

—damages for, how determined.

—how held.

SECT. 4. The capital stock of said company shall consist of not less than five thousand nor more than twenty thousand shares of one hundred dollars each, and the immediate direction of the affairs of said corporation shall be vested in a board of directors, to be chosen as hereinafter provided, who shall hold their office until others are chosen and qualified in their places, a majority of whom shall constitute a quorum; and they shall elect one of their

Capital stock and shares.

Directors to have direction of affairs.

—how chosen.

CHAP. 302.

Directors shall elect president.

—clerk.

—treasurer.

First meeting, how called.

number to be president of their board, and he shall also be president of the corporation; and they shall have authority to choose a clerk and treasurer. The persons named in section one are hereby authorized, at a meeting holden for that purpose, called by any five of the corporators, by publishing a notice of the same at least three weeks successively before the meeting, in any paper published in Hancock county, to accept this act and organize this corporation.

By-laws.

SECT. 5. Said corporation shall have power to make, ordain and establish all necessary by-laws.

Associate corporators.

SECT. 6. Said corporation may elect associate corporators in such manner as shall be provided in the by-laws of said corporation.

President and directors, powers of.

SECT. 7. 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 for the purpose of locating, constructing and completing said railroad, and for the transportation of persons, goods and property of all kinds and description, and all such power and authority as may be necessary and proper to carry into effect the objects of said corporation.

Toll.

SECT. 8. A toll is hereby granted for the benefit of said corporation upon all passengers and property which may be conveyed or transported on and over its railroad, at such rate as may be established by its directors, subject to such laws in relation to railroad companies as are or may be from time to time established by the legislature.

Annual meeting, when held.

SECT. 9. The annual meeting of the stockholders of said corporation shall be holden on such day as the by-laws may determine, at which meeting the directors shall be chosen by ballot.

May connect with other roads.

SECT. 10. Said corporation is hereby authorized to make connections with any other railroad, on such terms as its members may deem proper, and to lease its road and property, either before or after it shall have been completed, on such terms as its members shall determine, or may lease any other railroad or property upon such terms and conditions as may be mutually agreed upon.

May lease road.

May issue bonds.

SECT. 11. 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.

Location and construction, when to be completed.

SECT. 12. If said corporation shall not have been organized and the location, according to actual survey of the route, filed with the county commissioners of Hancock county, on or before the thirty-first day December, in the year one thousand eight hundred and seventy-eight, or if said corporation shall not complete its railroad on or before the thirty-first day of December, in the year one thousand eight hundred and eighty-three, this act shall be void.

SECT. 13. This corporation shall be at all times subject to such public laws, rules and regulations, as have been, or may be from time to time established by the legislature, and nothing herein contained shall make said corporation in any respect independent of the general legislative power of the state.

CHAP. 303.

Subject to laws of the state.

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

Approved February 17, 1873.

Chapter 303.

An act to incorporate the New Sharon Cheese Manufacturing Company.

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

SECT. 1. J. F. Storer, E. H. Smith, S. M. Howes, F. A. Morrill, Thomas B. Ridley, George H. Flint, Luther Curtis, F. M. Howes, Ezra Teague, A. B. Swift, Albert Smith, James Howes, Caleb D. Sawyer, Thomas H. Day, Richard Stowers, Warren Tufts, Asa Thompson, Z. A. Dyer, James Howes, Alonzo Walker, Joseph Morrill, John Fletcher, E. W. Dutton, J. P. Greenough and J. W. Smith, their associates, successors and assigns, are hereby created a body politic and corporate by the name of the New Sharon Cheese Company, with all the powers and privileges, and subject to all the duties and liabilities provided by the laws of this state concerning manufacturing corporations.

Corporators.

Corporate name.

Powers, privileges and liabilities.

SECT. 2. Said corporation is authorized to manufacture cheese, and to transact any other business usually carried on by cheese factories or corporations for the purposes of associated dairying. The capital stock of said corporation shall not exceed the sum of three thousand dollars, to be divided into such number of shares as the company may determine; and said corporation may hold real and personal estate to the amount of said capital stock, with full power to manage and dispose of the same.

Purpose.

Capital stock and shares.

May hold real and personal estate.

SECT. 3. The first meeting of said corporation shall be held in the town of New Sharon, and shall be called by a notice thereof, seven days prior to said meeting, signed by two of the persons named in the first section of this act, a copy of which shall be given to each of the other corporators.

First meeting, where held and how called.

SECT. 4. This act shall take effect when approved.

Approved February 17, 1873.