

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

331

OF THE

FIFTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1873.

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1873.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1873.

seal; to elect such officers as are required by the laws of this state and others that may be necessary for the transaction of business; to receive deposits and to use and invest the same as they shall deem for the best interest and benefit of depositors; to make, establish and enforce by-laws for the management of the concerns of the corporation not repugnant to the laws of this state. Said bank shall be established at Lisbon factory village.

SECT. 2. The first meeting of said corporation may be held at such time and place as the first five corporators may designate, by giving notice thereof seven days previously, by posting the same in two public and conspicuous places in said town of Lisbon. At said meeting and at every subsequent annual meeting new members may be elected by ballot. It shall require at least seven of the corporators or their associates to constitute a quorum for the transaction of business.

SECT. 3. All deeds of conveyance or other instruments made in behalf of the corporation shall be sealed with the corporate seal, and when made in pursuance of any vote of the corporation shall be valid to convey property or bind the corporation.

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

Approved February 17, 1873.

CHAP. 308.

Seal.
May elect officers.
May receive and invest deposits.

By-laws.

Location.

First meeting, when and where held.

May elect new members.

Quorum.

Deeds of, when valid.

Chapter 308.

An act to incorporate the Androscoggin and Oxford Railroad Company.

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

SECT. 1. David Hammons, John B. Rand, George L. Beal, John J. Perry, Thomas Holt, Adna C. Dennison, George D. Bisbee, Eben C. Andrews, J. A. Bucknam, Seth T. Holbrook, Isaac A. Dennison, Alfred S. Kimball, Jacob H. Lovejoy, Moses F. Cross, Adna T. Dennison, Joseph Robinson, Freeland Howe, Frank H. Whitman, John A. Green, Gilbert Wardwell, Enoch Foster, junior, Elbridge G. Harlow, Charles A. Kimball, Jotham P. Norton, William P. Frye, C. J. Barker, Enos T. Luce, John Harper, George P. Whitney, Sumner Burnham, John Lynch, E. S. Coe, Jeremiah Dingley, junior, Nelson Dingley, junior, W. W. Green, Otis Hayford, their associates, successors and assigns, are hereby made and constituted a body politic and corporate by the name of the Androscoggin and Oxford Railroad Company, and by that name may sue and be sued, plead and be impleaded, and shall have and enjoy all proper remedies at law and in equity to secure and protect them in the exercise and use of the rights and privileges and the per-

Corporators.

Corporate name.

Protection of rights and privileges.

CHAP. 308.

Authorized to locate and construct railroad.

Route of road.

Powers and privileges.

May hold real estate.

Right to take and remove materials.

Proviso.

Land taken, width of.

—compensation for.

—damages, how determined.

Application for damages must be made within three years.

May remove trees.

General powers.

formance of the duties hereinafter granted and enjoined, 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 within the limits of the city of Lewiston or Auburn, thence extending south of Taylor pond, in Auburn, to the Little Androscoggin river valley, thence northwesterly to Crooked river valley, in the town of Waterford, thence northerly to some point in the town of Bethel, in the county of Oxford. 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 five 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 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 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 CHAP. 308.
the express provisions of this charter.

SECT. 2. The capital stock of said corporation shall consist of not less than one thousand shares nor more than five thousand shares, of one hundred dollars each, 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 hereof are hereby authorized to accept this act and organize said corporation at a meeting holden for the purpose, of which notice shall be given by publication seven days previously in the Lewiston Journal.

SECT. 3. 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 the 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 afore-

Capital stock and shares.

Directors to have direction of affairs.

—how chosen.

—tenure of office.

—quorum of.

—may elect officers.

Treasurer to give bonds.

Organization of corporation, how made.

Powers for locating and completing road vested in president and directors.

May purchase land and materials.

Assessments.

—notice of, to be given.

—in case of non-payment, shares to be sold.

CHAP. 308.

Delinquent stockholders accountable for balance.

Proviso. said, 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 cost 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.

Toll.

Directors to have management of affairs.

SECT. 4. 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, and such as may be hereafter enacted.

By-laws.

SECT. 5. 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.

Annual meeting, when and where held.

SECT. 6. The annual meeting of the members of said corporation shall be holden on the first Wednesday of March, 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, by giving such notice as the corporation by their by-laws shall direct.

Directors, when and how chosen.

Special meetings, how called.

Authorized to connect with other roads.

SECT. 7. The corporation is hereby invested with power to make connections with any other railroad or railroads 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 stockholders, at a meeting regularly called for that purpose, shall determine.

—to lease the road.

May issue bonds.

SECT. 8. For the purpose of raising means and funds to accomplish the objects and purposes of this act, said corporation is hereby authorized to make and issue its bonds in such form and manner, and payable at such time as the directors may, under the circumstances, deem advisable; and it may secure the principal and interest of said bonds by a mortgage of its railroad and all its

Bonds, payment of, how secured.

lands, property, rights, privileges and franchises then possessed, held or owned or thereafter acquired by said corporation, made to such persons or trustees and in such form and manner as the directors may approve and prescribe. CHAP. 309.

SECT. 9. The corporation shall be authorized to issue non-preferred and preferred stock upon such terms and conditions and to such persons and corporations, and with such limitations and restrictions as may be deemed most for the interest of the subscribers, the success of the corporation and the completion and equipment of the road. Stock.

SECT. 10. Said corporation shall have five years in which to complete and file the location of said railroad, and eight years to construct the same. Road, when to be completed.

SECT. 11. All the powers, privileges and immunities herein and hereby granted shall be subject to all existing laws of the state and such as may be hereafter enacted. All privileges subject to laws of the state.

SECT. 12. This act shall take effect when approved.

Approved February 17, 1873.

Chapter 309.

An act to incorporate the Moose Branch Steamboat Company.

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

SECT. 1. Charles B. Hazeltine, William C. Marshall, John W. White, Andrew D. Bean, Humphrey N. Lancaster, Willard P. Harriman, Philo Hersey, Samuel G. Ellis, and Darius Alden, their associates, successors and assigns, are hereby constituted a body politic and corporate, by the name of the Moose Branch Steamboat Company, for the purpose of carrying on the business of trade and navigation, by vessels propelled by steam or otherwise, to and from the depot of the Belfast and Moosehead Lake Railroad Company in Belfast, and to and from any other ports or places in the United States, with all the powers, privileges and immunities, and subject to all the duties and liabilities provided by law. Corporators.
Corporate name.
Purpose.
Powers and privileges.

SECT. 2. The capital stock of said corporation shall not consist of more than one thousand shares of one hundred dollars each, which said stock shall be paid in by the subscribers to the same, under the provisions of law, subject to the same liabilities, exemptions and conditions of the stock of said railroad company ; and said company for the purposes of this act, may purchase and hold real and personal estate. Capital stock.
May hold real and personal estate.