

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

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1873.

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<b>CHAP. 353.</b>	Roak, C. I. Burke, Wesley Dunn, D. F. Lothrop, J. G. Cook, E. W. Gross, Isaac Haskell, J. A. Hill, their associates, successors and assigns, are hereby created a body politic and corporate, by
Corporate name.	and the name of the Dunn Manufacturing Company, with all the rights
Privileges and liabilities.	and privileges, and subject to all the duties and liabilities of such corporations, as defined by the laws of the state.
Purpose.	SECT. 2. The said corporation is authorized to engage in the manufacture of fabrics of cotton or woollen, or both, in the city of
May hold real and personal estate.	Auburn, in the county of Androscoggin, and to purchase, hold, use and lease real and personal estate to the amount of their capital stock, and to sell, lease and convey said estate.
Capital stock.	SECT. 3. The capital stock of said company shall not exceed
Shares.	eight hundred thousand dollars, to be divided into shares of one hundred dollars each.
First meeting, how called.	SECT. 4. Any one of the persons named in this act may call the first meeting of the corporation by a written notice given to each of the other persons named herein, seven days at least, before the day specified for said meeting.
	SECT. 5. This act shall take effect when approved.

Approved February 24, 1873.

### Chapter 353.

An act to incorporate the Biddeford and Saco Street Railway Company.

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

Corporators.	SECT. 1. J. M. Stone, Timothy Shaw, junior, Ivory Lord, W. F. Lunt, Edward Eastman, T. K. Lane, N. T. Boothby, J. E. Butler, E. H. Banks, E. B. Smith, Thomas H. Cole, E. W. Staples, John C. Bradbury, O. H. Staples, James Andrews, George S. West, William H. Deering, C. A. Farr, Charles H. Milliken, their associates and successors, are hereby constituted a corporation by
Corporate name.	the name of the Biddeford and Saco Street Railway Company,
Purpose.	with authority to construct, maintain and use a street railroad, with convenient single or double tracks, from such point or points
Route.	in the city of Biddeford, and over such streets and bridges therein as shall from time to time be fixed and determined by the municipal officers of said city of Biddeford, and assented to in writing by the directors of said corporation, to the boundary line between said city and the city of Saco, and thence upon and over such bridges, streets, and town and county roads in said city of Saco as from time to time may be fixed by the municipal officers of said city, and assented to in writing by the directors aforesaid. Said

corporation shall also have authority to locate, construct, maintain and use said railroad over and upon any other lands, and the land damages in such case shall be settled as provided by law in the case of lands taken for railroad purposes. All tracks of said railroad laid in the streets of the cities of Saco and Biddeford shall be laid at such distances from the sidewalks of said cities of Biddeford and Saco, as the municipal officers thereof respectively shall in their order fixing the routes of said railroad determine to be for public safety and convenience. The written assent of the directors aforesaid to any vote or votes of the municipal officers of either of said cities prescribing from time to time the routes of said railroad, shall be filed with the respective clerks of said cities, and shall be taken and deemed to be the location thereof. Said corporation shall have power from time to time to fix such rates of compensation for transporting persons or property as it may think expedient, and generally shall have all the power and be subject to all the liabilities of corporations as set forth in the forty-sixth chapter of the revised statutes. Rails shall not be laid down in said cities without the assent of the municipal officers thereof respectively. The original location of the route when granted shall be for the term of thirty years. The same may be renewed from time to time for a term not exceeding thirty years at any one time, by said municipal officers, upon such terms as they may deem expedient. No such renewal shall be granted prior to two years before the expiration of the location then established. No location shall be granted or renewed except upon reasonable prior notice to all parties interested. If at the expiration of any of said terms, the use of the streets, roads, or highways, occupied by said company's railroad, is granted by the municipal officers of either of said cities, or both, to any other corporation or person, it shall be upon condition that such corporation or person shall purchase of said company all its property of every description in necessary use for the purposes of said railroad, upon such terms as may be agreed upon by the parties or determined by persons selected by them; and if they are unable to agree, the value of the same shall be determined by three disinterested persons appointed by a judge of the supreme judicial court on application of either party, and hearing thereon. Said appraisers shall be sworn and shall give notice of the time and place of their meeting, and examine and appraise said property, and shall make to each party a written award, and their services shall be paid in equal proportions by the parties.

SECT. 2. If any person shall wilfully or maliciously obstruct said corporation in the use of its road or tracks, or the passing of the cars or carriages of said corporation thereon, such person, and all who aid and abet therein, shall be punished by a fine not

Damages, how settled.

Tracks, how laid.

Assent of directors to routes prescribed to be filed with city clerks.

Toll.

Rails not to be laid without assent of city officers.

Location, term of.—may be renewed.

Renewal, when granted.

Location, when granted or renewed.

Condition for granting right to other parties.

Value of property, how determined, in case of disagreement.

Appraisers, duties of.

Penalty for injuring or obstructing road.

**CHAP. 353.**

exceeding two hundred dollars, or may be imprisoned in the county jail for a period not exceeding sixty days.

Capital stock and shares.

SECT. 3. The capital stock of said corporation shall not exceed one hundred thousand dollars, to be divided into shares of fifty dollars each, and no share shall be issued for less than the par value.

May take and hold real estate.

SECT. 4. Said corporation shall have power to take or purchase and hold such real estate as may be necessary and convenient for the purposes and management of said railroad.

Railroad, how constructed and maintained.

SECT. 5. Said railroad shall be constructed and maintained in such form and manner and with such rail and upon such grade as the municipal officers of said cities of Biddeford and Saco, respectively, shall direct; and said corporation may lease its said railroad, or transfer or assign its charter, either before or after the construction of its said railroad. If the tracks of said company's railroad cross any other railroad of any kind, in either of said cities and a dispute arises in any way in regard to the manner of crossing, said municipal officers of the city in which said proposed crossing is to be made shall upon hearing decide and determine, in writing, in what manner the crossing shall be made, which shall be construed accordingly.

May lease road or transfer charter.

Crossings, how determined.

Cities may take up roads in certain cases.

SECT. 6. Nothing in this act shall be construed to prevent the proper authorities of said cities from entering upon and taking up any of the streets, town or county roads, occupied by said railroad for any purposes for which they may now lawfully take up the same.

Act, when to be accepted.

SECT. 7. This act shall be void unless the same shall be accepted by said corporation, and ten per cent. of the capital stock thereof be paid within five years from its passage.

Bonds.

SECT. 8. Said corporation is hereby authorized to issue bonds for the purpose of constructing its railroad, or for money which it may borrow for any purpose sanctioned by law, but the bonds so issued shall not exceed the amount of capital stock paid in by the stockholders. Said bonds may be issued in sums of not less than fifty dollars each, payable in not more than twenty years from their date, with interest, at the rate of seven per cent., payable semi-annually.

—limit of.

—when payable.

Certain laws applicable to said bonds.

SECT. 9. The provisions of the fifty-third section of the fifty-first chapter of the revised statutes, and of the nine sections of said chapter next following, are hereby made applicable to said bonds and to said mortgages made to secure the same; but said corporation shall not be subject to the other general provisions of the law relating to railroads.

SECT. 10. All acts inconsistent with this act are hereby repealed.