

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1875.

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1875.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1875.

CHAP. 142.

First meeting,
how called.

SECT. 3. O. L. Billings is hereby authorized to call the first meeting of said corporation, by posting up notices in two or more public places in Topsham, ten days at least before the meeting of said corporation.

SECT. 4. This act shall take effect approved.

Approved February 18, 1875.

Chapter 142.

An act to incorporate the Canton and Dixfield Cheese Factory.

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

Corporators.

SECT. 1. John W. Howe, Sewall Dunn, Adelbert Delano, D. M. Foster, A. R. Foster, and Granville Child, their associates and successors, are hereby constituted a corporation by the name of the Canton and Dixfield Cheese Factory.

Corporate name.

Capital stock and
shares.

SECT. 2. This association may have a capital stock not exceeding three thousand dollars, to be divided into such number of shares as they may decide ; may hold real and personal estate to that amount ; may make such rules and regulations as are necessary for the management of their affairs, and shall hold and exercise all the powers and privileges usually granted companies for the purpose of engaging in associated dairying.

May hold real
and personal
estate.

Rules and regu-
lations.

SECT. 3. The first meeting of said corporation shall be held in Canton, and called by John W. Howe, by giving seven days' notice in writing to the other incorporators thereof.

First meeting,
where held and
how called.

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

Approved February 18, 1875.

Chapter 143.

An act to incorporate the Lewiston and Augusta Railroad Company.

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

Corporators.

SECT. 1. James Wood, John Y. Scruton, S. D. Thomas, F. I. Day, P. McGillicuddy, A. D. Cornish, Joseph W. Perkins, D. Holland, J. L. H. Cobb, N. W. Dutton, George H. Pillsbury, J. G. Coburn, Edmund Russell, J. B. Ham, S. D. Wakefield, Sylvester Oakes, J. H. Roak, Ara Cushman, J. Dingley, junior, H. R. Smith, John N. Wood, P. C. Tarbox, Joseph H. Day, John B. Garcelon, Allen P. Winslow, George A. Callahan, N. O. Mitchell, Joshua

Gray, John T. Richards, Josiah Maxcy, William Wilson, J. R. Bodwell, James W. North, H. A. DeWitt, Josiah P. Wyman, E. F. Pillsbury, Ai Staples and Daniel T. Pike, their assigns, associates and successors, are hereby made and constituted a body politic and corporate by the name of the Lewiston and Augusta Railroad Company, and by that name may sue and be sued, plead and be impleaded, and shall enjoy all proper remedies at law and in equity to secure and protect them in the exercise and use of their rights and privileges and in the performance of the duties herein granted, and to prevent all invasion thereof, or interference in exercising or performing the same; and 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 city of Lewiston to the city of Augusta, in the most direct and feasible route, passing through any of the following named towns and cities, to wit: Webster, Greene, Wales, Litchfield, Monmouth, West Gardiner, Gardiner, Farmingdale, Manchester and Hallowell; 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 or 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 or use for the construction and repair of said road appurtenances, any gravel, earth, stone, timber, or other material, 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 purposes 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 such parties shall not agree otherwise, the said corporation shall pay such damages as shall be ascertained and determined by the county commissioners of the counties of Androscoggin and Kennebec, in the same manner and under the same conditions as are by law provided in laying out 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 land and other property; and in case said railroad shall pass through any woodland or forest, the said company shall have the right to fell and remove any trees standing therein, within four rods of said road, which by their liability to be blown down, or from their

Corporate name.

Rights and privileges.

Authorized to locate and construct railroad.

Location.

Route.

Powers, privileges and immunities.

May take and hold real and personal estate.

May take materials for construction.

Proviso.

Damages.

—how determined.

May remove trees.

CHAP. 143. natural falling, might obstruct or impair said railroad, by paying a
 Compensation for just compensation therefor, to be recovered in the same manner as
 provided for the recovery of other damages in this act.

Capital stock. **SECT. 2.** The capital stock of said corporation shall consist of
 Shares. not less than two thousand nor more than ten thousand shares, of
 the par value of fifty dollars each; and the immediate government
 Government to and direction of the affairs of said corporation shall be vested in
 be vested in not less than five nor more than nine directors, who shall be
 directors. chosen by the members of said corporation in the manner herein-
 Term of office. after provided, and shall hold their office until others shall have
 been duly elected and qualified to take their place, a majority of
 Quorum. whom shall form a quorum for the transaction of business; and
 President. they shall elect one of their number to be president of the corpo-
 Clerk. ration, and shall have authority to choose a clerk, who shall be
 sworn to the faithful discharge of his duties, and a treasurer, who
 Bond. shall be sworn, and also give bond to the corporation, with
 sureties to the satisfaction of the directors, in a sum not less than
 Books shall be one thousand dollars for the faithful discharge of his trust; and
 opened. for the purpose of receiving subscriptions to the said stock, books
 shall be opened under the direction of the persons named in the
 —notice of, to be first section of this act, at such times and places as they shall
 given. determine, to remain open for five successive days at least, of
 which times and places of subscription public notice shall be
 given in some newspaper published in the counties of Andros-
 croggin and Kennebec, ten days before the time mentioned in
 such notice.

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

President and **SECT. 4.** The president and directors for the time being, are
 directors, powers hereby authorized and empowered, by themselves or their agents,
 of. to exercise all the powers herein granted to the corporation for
 the purposes of locating, constructing and completing said rail-
 road, and for the transportation of persons, goods and property of
 all descriptions, and all such powers and authority for the man-
 agement of the affairs of the corporation, as may be necessary and
 proper to carry into effect the objects of this grant; to purchase
 —may purchase and hold land, materials, engines and cars, and other necessary
 land, &c. 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
 —may make on all the shares of said corporation as they may deem expedient
 assessments. and necessary in the execution and progress of the work, and
 direct the same to be paid to this corporation; and the treasurer
 Assessments, shall give notice of all such assessments, and in case any sub-
 notice of.

scriber or stockholder shall neglect to pay any assessment on his share or shares for the space of thirty days after such notice is given, or 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 of such assessment above the amount for which his share or shares shall be so sold, together with interest and costs of sale, and shall be entitled to the overplus, if his share or shares shall sell for more than the assessment due with interest and cost of sale; *provided, however*, that no assessments shall be laid upon any share in said corporation of a greater amount in the whole than fifty dollars.

Shares may be sold for payment of assessment.

SECT. 5. A toll is hereby granted and established for the sole benefit of the said corporation, upon all passengers and property of all descriptions which may be conveyed or transported by them upon said road, at such rates as may be agreed upon and established from time to time by the directors of said corporation. The transportation of persons and property, construction of wheels, the form of cars and carriages, the weight of loads, and all other matters 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 such laws in relation to railroad companies as are or may from time to time be established by the legislature.

Toll.

Transportation of persons and property, form of cars, &c., to be under direction of directors.

SECT. 6. The annual meeting of the members of said corporation shall be holden on such day as shall be determined by their by-laws, and 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.

Annual meeting.

By-laws.

Directors, when chosen.

SECT. 7. 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 to an amount not exceeding twenty-five thousand dollars per mile, 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 lands, property, rights, privileges and franchises then possessed, held or owned, or thereafter acquired by said corpora-

Bonds.

Mortgage.

CHAP. 144.

tion, made to such persons or trustees and in such form and manner as the directors may approve and prescribe.

Connections.

SECT. 8. 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 is completed, or to take a lease of any other railroad connecting with it, on such terms and for such time as the members, at a meeting regularly called for that purpose, shall determine.

May lease road.

Acceptance of charter.

SECT. 9. Any five of the incorporators named in the first section of this act, are hereby authorized to call a meeting of the corporation for the purpose of accepting this act and organizing by the choice of all necessary officers, making by-laws, and doing any other business that they may deem necessary to carry into effect the purposes of this act, and said first meeting may be called at such time as is deemed most convenient.

Organization and location, when to be made.

SECT. 10. If the said corporation shall not have been organized, and the location, according to actual survey of the route, filed with the county commissioners of the counties through which the same shall pass, on or before the thirty-first day of December, in the year of our Lord one thousand eight hundred and eighty, this act shall be null and void.

Rights of other roads to be respected.

SECT. 11. Nothing in this act shall be construed to authorize this corporation to locate its road over the road bed or location of any other railroad, or take its property except to cross the same.

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

Approved February 18, 1875.

Chapter 144.

An act to incorporate the North Livermore Cheese Company.

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

Corporators.

SECT. 1. S. M. Norton, J. D. Thompson, John Sanders and Caleb Smith, their associates and successors, are hereby consti-

Corporate name.

tuted a corporation by the name of the North Livermore Cheese Company.

Capital stock.

SECT. 2. This association may have a capital stock not exceeding three thousand dollars, to be divided in such number of shares

Shares.

May hold real and personal estate.

as they may decide; may hold real and personal estate to that amount; may make such rules and regulations as are necessary for the management of their affairs, and shall hold and exercise