

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1876.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1876.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1876.

Chapter 256.

CHAP. 256.

An act additional to "an act to amend an act to incorporate the Bangor and Calais Shore Line Railroad Company," approved February seventeen, eighteen hundred and seventy-three.

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

SECT. 1. Section one of the act entitled "an act to incorporate the Bangor and Calais Shore Line Railroad Company," approved February twenty-two, eighteen hundred and seventy-two, is hereby further amended by inserting between the words "Lubec" and "and," the following: 'And also to locate, construct and complete, alter, operate and keep in repair, a branch railroad from the trunk line aforesaid, at or near Pembroke, through the towns of Perry and Eastport, to the tide waters on the south-easterly side of said town of Eastport; ' so that said section, as amended, shall read as follows :

Sec. 1, ch. 140,
special laws of
1872, amended.

'SECT. 1. S. P. Strickland, S. H. Blake, George W. Ladd, James Dunning, C. P. Brown, Henry A. Wood, George C. Pickering, A. L. Simpson, Seth Tisdale, H. M. Hall, John D. Hopkins, N. K. Sawyer, Robert Gerry, junior, John F. Whitcomb, Charles H. Macomber, John West, William H. Card, John U. Hill, Gilbert E. Simpson, William L. Guptill, Handy Leighton, George L. Baker, Joseph W. Sawyer, Mariner S. Fickett, James W. Moore, Alexander Campbell, D. W. Campbell, James A. Milliken, William Freeman, junior, Samuel Campbell, John W. Coffin, Harrison Hume, Melbourn H. Willey, Samuel Ray, B. F. Willey, Albert M. Nash, Holmes W. Ramsdell, Joseph W. Coffin, Joseph Crandon, James L. Bucknam, John H. Crandon, Daniel J. Sawyer, John Plummer, J. C. Nash, Horace C. Hall, William B. Elwell, John F. Harmon, George Walker, Ignatius Sargent, John K. Ames, Edwin Longfellow, Iiram Gardiner, George W. Drisko, Mason H. Wilder, Stephen Longfellow, William H. Hemenway, S. H. Talbot, John C. Talbot, William H. Pope, George W. Pope, Jeremiah Foster, T. W. Allen, Peter E. Vose, N. S. Allen, D. K. Hobart, W. T. Hobart, George K. Hatch, Horace Harmon, Charles H. Haskell, A. G. Buck, Charles Deering, N. B. Nutt, Charles Paine, Samuel D. Leavitt, Samuel Adams, W. W. Bragdon, Enoch Fisher, Gideon Mayo, F. A. Pike, E. C. Gates, their associates, successors and assigns, are hereby made and constituted a body corporate and politic, by the name of the Bangor and Calais Shore Line Railroad Company, and by this 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 of the rights and privileges hereinafter granted, and to prevent all invasions thereof, or interruptions in the exercise

Corporators.

Corporate name.

General powers,
privileges, &c.

CHAP. 256.

Location, construction, &c., of railroad.

Line of road.

May construct branch roads.

Powers, privileges, &c.

May take and hold real and personal estate.

Materials for construction may be taken.

Proviso; width of land to be taken.

Proviso.

Corporation shall pay for land and materials taken.

and enjoyment of the same; and the said corporation is hereby authorized and empowered to locate, construct and complete, alter and keep in repair, a railroad, with one or more sets of rails or tracks, and of a gauge not less than three feet or more than four feet eight and one-half inches, with all suitable bridges, tunnels, viaducts, turnouts, culverts, drains and all other necessary appendages, from some point in the city of Bangor, so as to connect with any railroad in said city, and thence to some point above the Penobscot river toll bridge, crossing the Penobscot river at Brewer, thence extending easterly through Brewer, Orrington or Holden, Dedham or the north part of Bucksport and Orland to Ellsworth, or from some point in the town of Bucksport or Verona, on the Penobscot river, thence easterly through the towns of Verona, Bucksport, Penobscot, Orland, Bluehill, Surry, or either of said towns, to Ellsworth; thence easterly through Hancock, Franklin, Sullivan or Gouldsborough, Number seven plantation and Steuben, to Cherryfield, with the right to pass through Milbridge if found expedient so to do; thence easterly through either Harrington, Columbia, Columbia Falls, Jonesborough, Centerville, Whitneyville, Marshfield, to Machias; thence northeasterly through East Machias, Marion, Edmunds or Whiting, and either of the towns of Dennysville, Pembroke, Charlotte, Robbinston, Meddybemps and Baring, to the city of Calais, and with the right to construct a branch from the trunk line at or near East Machias, to Lubec; and also to locate, construct and complete, alter, operate and keep in repair a branch railroad from the trunk line aforesaid, at or near Pembroke, through the towns of Perry and Eastport, to the tide waters on the southeasterly side of said town of Eastport. 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 objects and purposes of this act; and for this purpose said corporation shall have the right to purchase or to take and hold so much of the land and real estate of private persons and corporations as may be necessary for the location, construction and convenient operation of said railroad; and they shall also have the right to take, remove and use for the construction and repair of said railroad and appurtenances, any earth, gravel, stone, timber, or other material, on or from the land so taken; *provided however*, that said land so taken shall not exceed six rods in width, except where greater width is necessary for the purposes of excavation or embankment; *and provided also*, that in all cases said corporation shall pay for such lands, estate or material so taken and used, such price as they and the 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 of the several counties in which such lands or estates or materials 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 by it in like manner as lands taken and appropriated for highways. And no application to said county commissioners to estimate said damages shall be sustained unless made within three years from the time of taking such lands or other property; and in case such railroad shall pass through any woodland or forests, the said company shall have the right to fell or remove any trees standing therein within four rods of said 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 provided for the recovery of other damages in this act.'

'SECT. 2. The clerk of said corporation may have a further time of twenty days from the approval of this act, in which to file the certificate of his election with the registry of deeds, in the district where said corporation is established, and former acts and doings of said corporation are hereby made valid and legal.'

Approved February 11, 1876.

CHAP. 257.

In case of disagreement, damages, how adjusted

Application for damages to be made within three years.

May remove trees.

Damages, how ascertained.

Extension of time for filing certificate of election of clerk.

Doings of corporation, legalized.

Chapter 257.

An act to extend the time for the location and construction of the Portland and Ogdensburg Railroad.

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

The Portland and Ogdensburg Railroad Company may have an extension of the time for the location and completion of their railroad, to the first day of January, in the year of our Lord one thousand eight hundred and eighty, and all the powers and privileges granted to said company or by them acquired from any source shall continue and be in force during said term of extension of time.

Time for locating and completing, extended.

Powers and privileges to continue in force.

Approved February 11, 1876.