

other materials, 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 purpose of excavation or embankment: and provided, also, that in all cases, said corporation shall pay for such lands, estate or materials so taken and used, such price as they and the owner or respective owners thereof, may mutually agree on; and in case said parties shall not otherwise agree, then 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 and limitations, as are by law provided in the case of damages by the laying out of highways. And the land so taken by said corporation, shall be held as lands taken and appropriated for public 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 or other property; and in case such railroad shall pass through any woodlands or forests, the said company shall have the right to fell and remove any trees standing therein, 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 other damages 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 and prescribed, respecting railroads, in chapter eighty-one of the revised statutes, not inconsistent with the express provisions of this chapter.*

§ 2. When said corporation shall take any land, or other estate, as aforesaid, of any infant, person non compos mentis, or femme covert, whose husband is under guardianship, the guardian of such infant, or person non compos mentis, and such femme covert, with the guardian of her husband, shall have full power and authority to agree and settle with said corporation, for damages or claims for damages, by reason of taking such land and estate aforesaid, and give good and valid releases and discharges therefor.

§ 3. The capital stock of said corporation shall consist of not less than ten thousand, nor more than forty thousand shares; and the immediate government and direction of the affairs of said corporation, shall be vested in seven, nine, or thirteen 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 form a quorum for the transaction of business; and they shall elect one of their number to be president of the board, who shall also be the president of the corporation; and shall have authority to choose a clerk, who shall be sworn to the faithful discharge of his duty; and a treasurer, who shall be sworn, and also give bonds to the corporation with sureties to the satisfaction of the directors, in the sum of not less than fifty thousand dollars, for the faithful discharge of his trust. And for the purpose of receiving subscriptions to the said stock, books shall be opened under the direction of the three persons first named in the first section of this act, at such time as they may determine, in the town of Calais, and the cities of Augusta, Bangor and Portland, in this State, and elsewhere as they may appoint, to remain open for ten successive days, of which time and place of subscription public notice shall be given in some newspaper printed in Portland, Augusta, Bangor and Calais, twenty days at least previous to the opening of such subscription; and in case the amount subscribed shall exceed forty thousand shares, the same shall be distributed among all the subscribers, according to such regulations as the persons having charge of the opening of the subscription books shall prescribe, before the opening of said books. And the three persons first named in the first section of this act, are hereby authorized to call the first meeting of said corporation, by giving notice in one or more newspapers published in the town and cities last above named, of the time and place, and the purposes of such meeting, at least twenty days before the time mentioned in such notice.

§ 4. 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 government, and for the due and orderly conducting of their affairs, and the management of their property.