

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1837.

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1837.

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SEVENTEENTH LEGISLATURE.

No. 30.

HOUSE.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND THIRTY-SEVEN.

AN ACT to incorporate the Vassalborough Boom Company.

SECT. 1. *Be it enacted by the Senate and
2 House of Representatives in Legislature as-
3 sembled, That William Redington, John G.
4 Hall and Greenlief White, their associates, suc-
5 cessors and assigns, be, and they hereby are
6 constituted and established a body corporate by
7 the name of the Vassalborough Boom Company,
8 and shall be vested with and enjoy all the pow-
9 ers and privileges, and be subject to all the
10 liabilities and restrictions contained in the sev-
11 eral general Acts of this State concerning cor-
12 porations.*

SECT. 2. *Be it further enacted, That said*

2 Company be, and hereby is, authorized and em-
3 powered to erect, maintain and keep, a boom
4 or booms on the Eastern shore of Kennebec
5 River in the town of Vassalborough, between
6 Hedge's Point, so called, as the lower terminus,
7 and a point directly opposite Day's Point, in
8 Sidney, as the upper terminus, with the right
9 to extend the boom into the river from Hedge's
10 Point, three hundred feet, and from thence on
11 a straight line to a point in the river opposite
12 Day's Point which is thirty-five rods distant
13 therefrom at low water mark, having the consent
14 of the owners of the Eastern shore, embraced
15 within said limits for that purpose, for the pur-
16 pose of stopping, securing and rafting, and
17 turning out, masts, spars, logs, and other lumber,
18 which are, or may be floated down said River,
19 and to erect all such piers, bulkheads, and other
20 structures as may be necessary to accomplish
21 the objects of the corporation, and to use so
22 much, and all of the shore, of which they may
23 have consent of the owners, between Lovejoy's
24 ferry, so called, and a point fifty rods above the
25 mouth of Seven Mile Brook, as they may find
26 necessary or convenient, in securing rafts, *Pro-*

27 *vided however*, That said corporation shall not
 28 at any one time secure or fasten to said shore rafts
 29 that shall extend therefrom into said River, a
 30 distance exceeding three times the usual length
 31 of logs, *And Provided also*, that said corpora-
 32 tion shall construct, and at all times keep and
 33 maintain their booms and piers and other struc-
 34 tures, sufficiently strong to secure all the lumber
 35 contained therein.

SECT. 3. *Be it further enacted*, That said
 2 Company shall from time to time, and as soon as
 3 such logs, masts, spars and other lumber can be
 4 conveniently secured, take care of and secure all
 5 such lumber, as may by any means, come into
 6 their booms; and deliver the same to the owner
 7 or owners thereof when called for, (except such
 8 lumber as may belong to persons who shall re-
 9 quest in writing in manner hereafter provided
 10 that their lumber be not thus secured and taken
 11 care of) the said owner or owners first giving
 12 reasonable proof of their property in said lumber,
 13 and paying before the delivery thereof, to said
 14 Company, the toll or boomage following to wit:
 15 for each log, and all logs sufficient to make equal
 16 to a thousand feet board measure, forty cents;
 17 for each ton of oak or other hard wood timber,

18 twenty-five cents; for each ton of pine timber,
19 twenty cents; for each bowsprit, forty cents; for
20 each hundred feet of ranging timber, fifteen cents;
21 for each thousand of shingles, twelve and a half
22 cents; for each thousand of clapboards, fifteen
23 cents; for each thousand of staves, twenty cents;
24 and for any and all other kinds of lumber in the
25 same proportion; which said toll or boomage shall
26 be charged and estimated from the bills of
27 some Surveyor appointed by the Selectmen of
28 either the town of Vassalborough, Sidney, Au-
29 gusta, Hallowell, Gardiner or Waterville, who
30 shall have been previously sworn to the faithful
31 discharge of the duties of his office; who shall
32 be entitled to receive at the rate of four cents
33 per thousand feet board measure for all logs by
34 him so surveyed, one half of which shall be paid
35 by the owner or owners, and the other by the
36 corporation; and if within ten days from the
37 time of so stopping and securing any of the lum-
38 ber aforesaid, no person or persons shall appear
39 to claim the same, and pay the toll or boomage,
40 aforesaid, the said Company may by their clerk,
41 or agent, advertise for the space of three weeks
42 in a newspaper printed in Augusta, Portland,
43 Waterville, Skowhegan, Gardiner and Bath, or

44 in as many of the said towns as there may be
45 newspapers printed in, all such of said lumber
46 as may remain unclaimed and taken away, as
47 aforesaid, describing the marks thereof, and
48 if at the expiration of thirty days no person
49 shall appear to claim the same as aforesaid,
50 then the said Company may by their clerk or
51 agent sell the same at Public Vendue; and the
52 proceeds of such sale, shall be retained by said
53 corporation for the space of one year thereafter;
54 and if any person or persons, shall within that
55 time appear to claim the same, and prove his
56 or their property in said lumber, so as aforesaid
57 sold, he or they shall be entitled to the overplus
58 of such proceeds, after deducting all fees due
59 on the same, charges for advertising, surveying,
60 securing and selling, and one half of the cus-
61 tomary boomage in addition, for keeping the
62 same; and if no person shall so appear within
63 said term of one year, then the balance of the
64 proceeds of such sale shall be paid to the
65 Treasurer of the Kennebec Log Driving Com-
66 pany, to be appropriated towards defraying the
67 expenses of said Company in driving logs the
68 same, or the succeeding year upon Kennebec

69 River and its tributaries—*Provided however,*
 70 That said Company shall not be entitled to re-
 71 ceive boomage upon any logs where the owner
 72 thereof shall at any time before the receiving of
 73 said logs or other lumber into said booms, have
 74 left with the clerk or agent of said corporation,
 75 a written notice, therein specifying and making
 76 known his several marks, and his place of resi-
 77 dence, that he did not wish his logs and other
 78 lumber stopped and secured in said boom. And
 79 it shall be the duty of the corporation, to turn
 80 out of their booms, as soon as may be, and in
 81 the day time, all lumber belonging to persons,
 82 who shall have given notice as aforesaid, by the
 83 time and in the manner as aforesaid, and also
 84 all rafts, and boats which may by accident be
 85 drawn into said boom, if the owner thereof
 86 shall request, free of expense.

SECT. 4. *Be it further enacted,* That said
 2 corporation be required whenever any logs or
 3 timber shall be running in the Kennebec River,
 4 to use all reasonable exertion, care and dili-
 5 gence, to tow into and secure in their booms,
 6 all such logs or timber as the said corporation are
 7 by this Act authorized to stop and secure, and shall

8 as soon as practicable thereafter raft and secure
 9 such logs or timber, and shall raft in separate
 10 rafts unless otherwise directed by the owners
 11 thereof, the logs or timber of each owner, or
 12 company of owners, who shall seasonably fur-
 13 nish the agent or clerk of said corporation with
 14 his or their marks; and the owner or owners of
 15 such logs or timber shall make said corporation
 16 a reasonable compensation for warps or ropes
 17 used for rafting and securing the same, or shall
 18 furnish and substitute his or their own warp for
 19 that of the said corporation.

SECT. 5. *Be it further enacted,* That for
 2 the purposes aforesaid, the said corporation be
 3 and hereby is authorized and empowered to pur-
 4 chase, hold or lease any real estate adjacent to
 5 said boom or booms, or convenient thereto, not
 6 exceeding one thousand acres, with all such
 7 machinery and buildings as may be deemed by
 8 them necessary for the convenient management
 9 of their affairs.

SECT. 6. *Be it further enacted,* That if
 2 any person or persons shall wilfully injure or
 3 destroy said boom or booms, piers, bulkheads
 4 or other works or erections of the corporation,

5 he or they shall pay treble the amount to the
 6 party injured, recoverable by action of trespass,
 7 and be further liable to indictment before the
 8 Supreme Judicial Court or Court of Common
 9 Pleas, for a high-handed misdemeanor, and on
 10 conviction, such penalty, not exceeding five thou-
 11 sand dollars, or imprisonment, not exceeding
 12 the term of two years, as said Court may order,
 13 shall be inflicted therefor.

SECT. 7. *Be it further enacted*, That any
 2 two persons named in this Act shall have power
 3 to call the first meeting of the proprietors of said
 4 corporation, by publishing a notice in one of the
 5 newspapers printed in Augusta, or by giving
 6 written notice to each member of the corporation.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, {
 March 9, 1837.

Read twice, laid on the table, and five hundred copies
 ordered to be printed for the use of the Legislature.
 (Extract from the Journal.)

Attest: CHARLES WATERHOUSE, Clerk.