

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE

EXTRA SESSION OF 1853, AND SESSION OF 1854.



Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

THIRTY-THIRD LEGISLATURE.

HOUSE.

NO. 11.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
FIFTY-FOUR.

AN ACT to incorporate the Ticonic Boom Company.

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

SECTION 1. John D. Lang, Walter Getchell, Daniel Moor, Franklin Smith and Asa Redington, their associates and successors, are hereby constituted a body politic and corporate, by the name of the Ticonic Boom Company, for the purpose of erecting and maintaining booms in the Kennebec river at Winslow and Waterville, for the catching, rafting, and securing of logs and other lumber belonging to themselves, or to any other persons who may request the same to be there caught, rafted

11 or secured ; and said company may purchase and
12 hold any estate, real or personal, necessary for said
13 purpose, and have and enjoy all the rights and privi-
14 leges, and be subject to all the duties and require-
15 ments, incident to similar corporations under the laws
16 of this state.

SECT. 2. The company shall have power to erect
2 and maintain a boom in Winslow between the
3 Ticonic falls, and a line drawn west north west from
4 the point where John Richards' north line strikes the
5 high water mark of the river. Also in Waterville
6 between Ticonic falls and the south line of lot num-
7 ber one hundred and six ; for the purposes aforesaid
8 and no other : *Provided* always, that their erections
9 be so made as to allow safe and ample passage ways
10 up and down said river for steamboats and all other
11 sorts of boats, including the passage to the public
12 landing on the Winslow side, but not above that.

SECT. 3. If the company shall take any real estate,
2 necessary for the site and maintenance of said booms,
3 then, in case they cannot agree with the owner or
4 owners as to the price to be paid for the same by the
5 company, the same shall be ascertained and settled in
6 the mode prescribed for the damage done to the

7 owners of real estate by the location of public high-
8 ways thereon.

SECT. 4. Upon lumber caught, rafted or secured,
2 by the owners' request, the corporation shall have a
3 lien for the toll or boomage, the rate of which to
4 be agreed upon by the parties. When not so agreed
5 upon, no toll shall be exacted, nor shall the company
6 be under obligation to catch or secure such lumber,
7 without such request and agreement of the owners.
8 The lien, when it applies, may be secured in the
9 mode prescribed for perfecting liens for labor per-
10 formed in the erection of buildings.

SECT. 5. It shall be the duty of the company, each
2 day, to turn out from the booms, when practicable by
3 the use of reasonable efforts, all lumber which the
4 owner or owners shall not have requested to be there
5 rafted or secured ; and if, by neglect of the company,
6 this duty be not performed, they shall be bound to pay
7 all damages thereby sustained by the owners : *Pro-*
8 *vided, however,* that in no event shall there be a de-
9 tention of more than two days, of any lumber, belong-
10 ing to persons who have not requested the same to
11 be stopped there.

SECT. 6. If any person shall willfully injure any

2 boom or work connected therewith, he shall be liable
3 to pay the company double the damage, and also be
4 liable to an indictment for a misdemeanor.

SECT. 7. This act shall take effect from and after
2 its approval by the governor.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 7, 1854. }

This Bill was twice read, laid upon the table, and 350 copies
ordered to be printed for the use of the Legislature.

JOHN J. PERRY, *Clerk.*