

MAINE STATE LEGISLATURE

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Wm. F. Hill
DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1856.

PART SECOND.

Augusta:

FULLER & FULLER, PRINTERS TO THE STATE.

1856.

THIRTY-FIFTH LEGISLATURE.

SENATE.

No. 2.

STATE OF MAINE.

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

AN ACT to incorporate the West Branch Chesuncook Boom Corporation.

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

SECTION 1. Ansel Smith, W. H. Strickland, E.
2 Gilman Rawson, A. W. Leavitt, and Bowman Var-
3 ney, their associates and successors, are hereby con-
4 stituted a body corporate to continue for fifteen years,
5 by the name of the West Branch Chesuncook Boom
6 Company, with all the rights and privileges for the
7 management of corporations granted by the laws of
8 this state.

SECT. 2. Said corporation is hereby authorized to
2 construct and maintain a boom, piers, and other ne-
3 cessary erections, on the west branch of Penobscot
4 river, at the head of Chesuncook lake, near the
5 entrance of the river into the lake, for the purpose of
6 stopping, securing, and booming logs and lumber
7 coming down the said west branch.

SECT. 3. They shall take care of and secure all such
2 logs and lumber coming into their said boom, and
3 deliver the same to the owners thereof on demand ;
4 and shall be entitled to demand and receive of such
5 owners, a toll or boomage therefor, to be paid in thirty
6 days after such delivery, as follows :—for every pine
7 log, three cents ; for every spruce and other logs, two
8 cents ; and to secure the payment of the toll or boom-
9 age, a lien is hereby created upon the said lumber to
10 be enforced by a sale of so much thereof as shall be
11 necessary to raise the sum due.

SECT. 4. The said corporation is hereby author-
2 ized to purchase and hold land for the purposes of
3 said boom and the convenient management thereof,
4 not more than five hundred acres, and to erect all
5 suitable buildings thereon for that purpose, and to
6 occupy and use the shores of the river, and lake, so

7 far as is necessary, at the place where the boom is
8 erected, and at such other places as is required for
9 the convenient rafting and securing, such logs and
10 lumber, and to pass and repass on foot to and from
11 said boom, over land on both sides of the river, at all
12 times for all necessary purposes connected therewith,
13 subject to pay the owners thereof, a reasonable rent
14 for the use and damage thereof; and if the owners of
15 the boom and the land cannot agree upon the amount
16 so to be paid, upon the application of either party, the
17 supreme judicial court, for the county in which the
18 land lies, shall appoint three disinterested persons a
19 committee, who shall ascertain and report to the court
20 the amount to be paid for such use and damage; and
21 their report, accepted by the court shall be final.
22 Either party, dissatisfied with the amount so reported,
23 may have the same determined by a jury in the same
24 court to which the report and such further and other
25 evidence as the parties produce shall be submitted.
26 If the verdict of the jury is not more favorable to the
27 party applying therefor, than the report, he shall pay
28 all the costs of the jury trial and subsequent pro-
29 ceedings.

SECT. 5. Any person who shall willfully or maliciously injure the boom and its appendages, or any part thereof, or willfully or maliciously interfere with or interrupt the use thereof, shall be liable to pay treble damages therefor, in an action of trespass in any court proper to try the same.

SECT. 6. This act shall take effect and be in force from and after its approval by the governor.

STATE OF MAINE.

IN SENATE, February 1, 1856.

ORDERED, That the Secretary procure the printing of 350 copies of the accompanying bill for the use of the Legislature.

WM. G. CLARK, *Secretary.*