

MAINE STATE LEGISLATURE

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PRIVATE ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

THIRD LEGISLATURE,

AT THE SESSION, HELD IN JANUARY, 1823.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

PORTLAND:

BY TODD AND SMITH.....PRINTERS TO THE STATE.

1823.

competent for the transaction of business; and all questions before them shall be decided by a majority of votes, and they shall have power to make and prescribe such by-laws, rules and regulations, as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate, and effects of said company, and the transfer of shares, and touching the duties and conduct of the several officers, clerks, and servants employed, and the election of Directors, and all such matters as appertain to the business of insurance; and shall also have the power to appoint a Secretary, and as many clerks and servants, for carrying on the said business, and with such salaries and allowances to them, and to the President, as to the said board shall seem meet: *Provided*, Such by-laws and regulations shall not be repugnant to the laws of this State.

SECT. 6. *Be it further enacted*, That any two or more persons named in this Act of incorporation, are hereby empowered to call a meeting of the members of said Company, as soon as may be, in Bath, by advertising the same fourteen days in the newspaper printed in said town, for the purpose of electing the first Board of Directors, who shall continue in office until the first Tuesday of April, one thousand eight hundred and twenty-four.

[*This Act passed January 31, 1823.*]

CHAPTER CLXXXII.

AN ACT to incorporate the Proprietors of Stearns' Pond Canal.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That Joseph Walker, Samuel Nevers, James Osgood, Robert Page, Robert Bradley, James W. Ripley, Stephen Chase, Joshua B. Osgood and Henry Y. B. Osgood, with their associates and successors, be, and they hereby are incorporated into a body politic, by the name of the Proprietors of Stearns' Pond Canal; with power to prosecute and defend suits at law; to have a common seal and to change the same; to

To make a canal from Stearns' Pond to Crotched Pond.

make any by-laws for the management of their affairs not repugnant to the laws of the State; and said Proprietors are hereby empowered, within the term of two years, to make a Canal on the stream from Stearns' Pond in Sweden, in the county of Oxford, to Crotched Pond in Bridgton, in the county of Cumberland, for the purpose of floating timber from said Stearns' Pond down said stream to Crotched Pond.

Damages how estimated and settled.

SECT. 2. *Be it further enacted*, That if any person or persons shall suffer damages, by the erecting of said Canal, and the parties cannot agree upon the amount, the same proceedings may be had thereon, to ascertain and settle the same, as is prescribed in the second section of the act defining the general powers and duties of turnpike corporations. And if any person or persons shall wilfully destroy or injure said Canal, or any part thereof, or divert or obstruct the waters thereof, he or they shall pay treble damages for such trespass, to be recovered in any Court of competent jurisdiction.

Penalty for injuring or obstructing canal.

Toll.

SECT. 3. *Be it further enacted*, That a toll be, and hereby is granted, for the sole use of said corporation, at the following rates, to wit: For every thousand feet of timber, sufficient to make a thousand feet of boards, which shall pass down said Canal, three cents; the amount to be determined by the survey from the owner to the purchaser: And said corporation shall at all times, for the term of ten years, from the time said Canal shall be completed, keep the same in repair, for the passing of logs thereon, and shall be liable to pay each person the damage he may sustain, in consequence of said Canal not being in good and sufficient repair: *Provided*, any one of said corporation be notified that such repairs are needed, and the same is not done without unnecessary delay; such damage to be recovered in any Court of competent jurisdiction.

Canal to be kept in repair.

Common Pleas to decide when canal is suitable for passage, &c.

SECT. 4. *Be it further enacted*, That said corporation may, as soon as said Canal is, in the opinion of the Court of Common Pleas, or of their Committee, completed, and suitable for the passage of logs, have

power to collect toll on any timber passing therein ; and to retain such part thereof, as may be necessary to pay the toll and charges of collection, if payment be refused ; and said corporation may sell at public auction so much of said timber as may be necessary for the payment of toll and charges thereon, after detaining said timber ten days, and posting up notice thereof in some public places in the towns of Bridgton and Sweden, six days before the sale ; or said corporation may recover said toll of the owner of the timber by action of debt in any Court of competent jurisdiction.

Mode of collecting toll in certain cases.

SECT. 5. *Be it further enacted,* That the owners of timber turned into and to be passed down said Stearns' Pond Canal, or a majority of them in interest, are hereby authorized and empowered to assemble at some place in the towns of Bridgton or Sweden, on the last Tuesday of March annually, for the purpose of associating and organizing themselves as a body politic and corporate ; and at such meeting may pass such votes, adopt such rules and regulations, choose such officers, and take such measures not repugnant to the laws of the State, as may be necessary to compel all and each of the owners of such logs, as are to be passed down the Canal that season, to perform each one his respective proportion of labor, and to bear his share of the expense of driving the same into said Crotched Pond ; such labor to be done under the direction and superintendence of any agent or committee, they may deem proper to appoint.

Owners of timber to be passed in canal may organize themselves into a body corporate with powers, &c.

SECT. 6. *Be it further enacted,* That Joseph Walker be, and hereby is, authorized to call the first meeting of said proprietors, at such time and place within the town of Sweden, as he may direct, by notifying each proprietor of the time and place of meeting, six days previous thereto : *Provided always,* That the powers granted by this act may be enlarged, restrained or annulled at the pleasure of the Legislature.

First meeting

Restrictions.

[*This Act passed January 31, 1823.*]