

MAINE STATE LEGISLATURE

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PRIVATE ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FOURTH LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1824.

PUBLISHED AGREEABLY TO THE RESOLVE OF THE 26TH JUNE, 1820.



PORTLAND:

PRINTED BY TODD AND SMITH.....PRINTERS TO THE STATE.
1824.

SECT. 2. *Be it further enacted,* That the first ^{First meeting.} meeting of said corporation shall be holden at such time and place, and be notified in such manner, as the majority of the persons herein named may direct.

SECT. 3. *Be it further enacted,* That the powers ^{Restrictions.} granted by this Act may be enlarged, restrained or repealed, at the pleasure of the Legislature.

[*This Act passed February 12, 1824.*]

CHAPTER CCLXVIII.

AN ACT authorizing booms across Saco river between Buxton and Hollis.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That ^{Persons incorporated.} Joseph Woodman, William Woodman, John Edgerly, James Woodman, Aaron Brooks and James Atkinson, their associates and successors, be, and they hereby are constituted a body politic and corporate, by the name of the proprietors of the Bar Mill Booms; with power to prosecute and defend suits ^{Powers and privileges.} at law; to have a common seal, and to alter the same; to make any by-laws for the management of their concerns, not repugnant to the laws of the State; and with all other powers and privileges incident to such corporations, or such as may be necessary to the convenient management of the concerns thereof.

SECT. 2. *Be it further enacted,* That said proprietors shall be entitled to receive of the respective ^{Toll established.} owners of Masts, Logs and other timber, which shall or may be rafted and secured at either of said booms, by any person or persons, the following fees or toll, viz: for each mast, three cents; for each mill log, one cent; for each ton of oak, pine or other timber, three cents; for each thousand feet of ranging timber, three cents: *Provided, however,* That all the ^{Other owners of Bar Mills may become proprietors on conditions.} owners of said Bar Mills shall be allowed to become proprietors in said booms, by contributing their just proportion of expense in erecting the same; and said

Toll when to toll shall cease after the proprietors shall have been
cease. remunerated for all expenses in erecting and main-
taining said Booms and Piers.

Persons injur- or persons, who shall wilfully and maliciously injure or destroy the said booms or any part thereof,
ing booms may be prosecuted. or any of their appendages, or means of using and improving the same, shall be liable to pay such reasonable damages as shall be determined in due course of law, in an action of trespass or case, before any Court proper to try the same.

Proprietors & their agents allowed passage over certain lands to and from their booms on certain conditions
SECT. 4. *Be it further enacted*, That the said proprietors and their agent, or those under their employment, or other person or persons who may have occasion therefor, shall have free liberty to pass and repass on foot to and from the booms aforesaid, over the lands on both sides of said Saco river, through which it may be necessary to pass in taking care of, guarding and rafting masts, logs and other timber as aforesaid, and for securing the same to the banks or shores of said river, and at each of the upper and lower bar booms aforesaid; and also to make any repairs which may from time to time be necessary in swinging the said booms; subject, however, to pay such reasonable sum to the owner or possessor of such lands for damages done to the same or their appurtenances which may arise or happen thereto in prosecuting the said business of rafting and securing as aforesaid; and if such owners and the agent of said corporation cannot agree upon the amount of such compensation for damage, then the Court of Common Pleas for the county of York, may, upon the application of either party, appoint a committee of three freeholders within said county to assess the same, and the report of whom or the major part of them shall be final; and the Court may enter up judgment, and award execution thereon; and may upon petition and due notice to the adverse party award further execution from time to time for the annual damages, if any, awarded by such committee: *Provided*, That either party dissatisfied with the report of such Committee, may, upon application

to the Court, at the same term at which such report is made have the damages aforesaid, assessed and estimated by a Jury ; and if the Jury shall not assess or estimate a different sum in damages than was reported by the Committee, such difference being in favor of the party applying for a Jury, such applicant shall pay to the adverse party his costs arising subsequent to the report of the committee ; and the Court shall enter judgment and award execution accordingly, unless the Court shall certify that there was reasonable cause for such application : *Provided*, That proprietors shall not, nor shall any person employed in said business, take down or remove any bars or fences belonging to the owner or occupant of said lands without liberty first obtained of such owner or occupant.

SECT. 5. *Be it further enacted*, That Paul Woodman shall have the exclusive right to use the eddy above said mills, so far as his side boom is now swung ; reserving however, the right for the other mill owners to fasten their rafts at his side boom aforesaid.

Rights of Paul Woodman secured.

SECT. 6. *Be it further enacted*, That the said Proprietors shall from time to time, as soon as such masts, logs and other timber can be conveniently secured, take care and cause to be turned through the said boom, all such masts, logs and other timber aforesaid, passing down said river, as shall not belong to the said proprietors, or others secured or intended to be secured, for the use of such owners of masts, logs or other timber.

Proprietors in taking care of and passing logs, &c.

SECT. 7. *Be it further enacted*, That Joseph Woodman, or any other principal proprietor, may, by an advertisement posted up in some public place or places in each of said towns of Buxton and Hollis, call the first meeting of said proprietors, at some suitable time and place, giving at least seven days notice of such meeting.

First meeting.

[*This Act passed February 12, 1824.*]