

MAINE STATE LEGISLATURE

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PRIVATE ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

EIGHTH LEGISLATURE,

AT ITS

SESSION HELD IN JANUARY, 1828.

Published agreeably to the Resolve of the 28th June, 1828.

PORTLAND.

PRINTED BY THOMAS TODD, PRINTER TO THE STATE.
1828.

CHAPTER DXVIII.

AN ACT to incorporate the Proprietors of Moose Brook Sluice Way.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That Joshua B. Osgood and James Osgood, with their associates and successors, be, and hereby are, incorporated into a body politic, by the name of the Proprietors of Moose Brook Sluice Way ; with power to prosecute and defend suits at law ; to have a common seal, and to change the same ; to make any by-laws for the management of their affairs, not repugnant to the laws of this State : And said Proprietors shall keep a good and sufficient sluice way through Osgood's Mill Dam, so called, on said Moose Brook, in the town of Denmark, for the purpose of passing logs through the same ; and, if necessary to float the logs to Little Moose Pond, shall keep open a slip gate and waste gate, and shall keep one man, at said sluice way to receive the toll and open said gates : *Provided,* the owners of the logs shall be at the expense of turning said logs through said slip gate, and shall employ men sufficient to drive said logs to the pond last named.

Persons incorporated.

Powers &c.

Proprietors to keep a good and sufficient sluice way, &c.

SECT. 2. *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 through said sluice way, ten cents ; the amount to be determined by the survey from the owner to the purchaser, when such survey has been made by some known surveyor ; and in case of a sale without such survey, then said logs shall be surveyed by some person mutually to be agreed on by the said Corporation, and the owner or owners of said logs : and said Corporation

Toll established.

Rates.

Corporation to keep the sluice way in good repair for ten years.

— liable to damages in case of neglect.

Provide.

Penalty for maliciously injuring the sluice way or gates.

Provision in case owners of logs shall refuse to pay toll.

First meeting by whom and how called.

Powers restricted.

shall at all times, for the term of ten years from the passing of this Act, keep said sluice way in good repair, for the passing of logs through the same, and shall be liable to pay each person the damage he may sustain, in consequence of said sluice way not being in good and sufficient repair : *Provided*, any one of said Corporation be notified, and the same is not done without unnecessary delay ; such damage to be recovered in any court of competent jurisdiction.

SECT. 3. *Be it further enacted*, That if any person or persons shall wilfully or maliciously injure or destroy said sluice way or gates belonging to the same, he or they shall pay treble damages for such trespass, to be recovered in any Court of competent jurisdiction.

SECT. 4. *Be it further enacted*, That if any owner or owners of any logs, shall refuse to pay toll, said Proprietors may retain and sell at Public Auction so many of said logs as may be necessary to pay the toll and charges thereon, after detaining said logs ten days, and posting up notice thereof in two or more public places in the town of Denmark, six days before the sale ; or said Corporation may recover said toll of the owner of the logs by an action of debt, in any court of competent jurisdiction.

SECT. 5. *Be it further enacted*, That James Osgood be, and hereby is, authorized to call the first meeting of said Proprietors, at such time and place within the towns of Fryeburg or Denmark, 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.

[Approved by the Governor, February 11, 1828.]