

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL

ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

TWELFTH LEGISLATURE,

AT ITS SESSION COMMENCING JANUARY 4, 1832.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:

I. BERRY & CO., PRINTERS TO THE STATE.

1832.

Erratum:

**There are two private & special
laws in 1832 designated as
Chapter 283.**

This is the second one and is filed as 283B.

SECT. 11. *Be it further enacted,* That all Acts and parts of Acts inconsistent with the provisions of this Act be and the same hereby are repealed. Acts repealed.

CHAPTER 283.

AN ACT to incorporate the Sugar-Island Side Boom Company.

Approved March 9, 1832.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That Nathan Winslow, Henry Campbell, Francis Blackman, William E. Blackman, John Butterfield, Amos M. Roberts, Samuel Dudley, Amos Bailey and their associates, successors and assigns be and hereby are created a corporation by the name of the Sugar-Island Side Boom Company, for the purpose of booming and securing logs, and shall so continue for the term of thirty years, and by that name may sue and be sued ; have and use a common seal ; make by-laws for the management of their concerns, not repugnant to the laws of the State, and have and enjoy the rights and privileges of similar corporations. Names of persons incorporated.
Corporation to continue for the term of thirty years.
May make by-Laws &c.

SECT. 2. *Be it further enacted,* That said company may erect and maintain a boom across that branch of the Penobscot river, which passes between said Island and the eastern shore of said river, for the purpose of securing stopping and fastening logs and other lumber floating upon said river, and may erect piers wherever necessary for said Boom ; *Provided,* that said Corporation shall keep said boom sufficiently strong to secure the lumber contained therein, and that all persons may have the same privilege of landing and fastening rafts and of picking up logs and other lumber, which they have heretofore enjoyed, but without purposely incumbering said boom. And said corporation shall have power to raft and fasten logs along the eastern shore of said river between said Island and Stanley's rips, and shall be liable to every person injured by May erect a boom across a branch of Penobscot river, &c.
Proviso.

SUGAR-ISLAND SIDE BOOM COMPANY.

the exercise of any powers granted by this Act to the full amount of all damages sustained thereby.

SECT. 3. *Be it further enacted,* That if any person or persons shall wilfully injure or destroy said boom, piers or other works connected therewith, he or they shall pay treble the amount to the party injured, recoverable by action of trespass, and be liable to indictment before the Supreme Judicial Court or Court of Common Pleas, for a high-handed misdemeanor, and on conviction such penalty, not exceeding one thousand dollars, or imprisonment, not exceeding the term of one year, as said Court may order, shall be inflicted therefor.

Penalty for injuring or destroying said Boom &c.

How to be recovered.

Not lawful for said Corporation to receive into their boom, logs or lumber, unless requested so to do.

Forfeiture for violating this provision.

Duty of said Corporation—

They shall be accountable for losses sustained by neglect.

SECT. 4. *Be it further enacted,* That it shall not be lawful for said corporation to receive into said boom, or detain in their passage, any logs or other lumber, unless requested in writing by the owners thereof so to do. And if said corporation shall purposely or unnecessarily receive into said boom any such logs or other lumber, against the consent of the owners thereof, or if they shall detain in said boom or rafting place for the space of one day or more any logs which they have not been requested to detain, they shall forfeit to said owners a penalty equal to the full value thereof, to be recovered by action of trespass, beside paying the actual damage sustained by said owners. And it shall be the duty of said corporation to turn out all such logs from said boom daily.

SECT. 5. *Be it further enacted,* That it shall be the duty of said corporation to raft all lumber in said boom without any unnecessary delay, securely and faithfully with suitable poles and lock-downs; and secure said rafts immediately below said boom ten days; and if the owner at the expiration of that time have not removed the same, the corporation are authorized to remove the same to some convenient place of safety, for which removal a fair compensation shall be paid by the owners, for which, as well as for the tolls herein afternamed, a lien upon said lumber is hereby created. And said company shall be accountable to all persons who may sustain losses by the neglect or carelessness of those who have charge of the corporation business.

SECT. 6. *Be it further enacted,* That there be allowed to said corporation a toll upon the lumber boomed, rafted and secured as aforesaid, of thirty two cents for all lumber equal to one thousand feet board measure ; said tolls being at all times subject to the control of the Legislature. And the quantity of said lumber shall be ascertained by some Deputy of the Surveyor General of Penobscot County, if such an officer should be appointed, otherwise by some surveyor appointed by the Selectmen of Bangor.

Toll allowed.

SECT. 7. *Be it further enacted,* That for the purposes aforesaid, said corporation is authorized to hold any real estate necessary or convenient, and by their agents to pass and repass for the purpose of erecting, repairing or rebuilding said boom or any of the works connected therewith, and to use and occupy any lands along the shores necessary for said works or for rafting or securing said lumber, subject to pay all damages which may arise to any person or persons thereby.

Corporation may hold Real or Personal Estate &c.

SECT. 8. *Be it further enacted,* That the proprietors of the Penobscot Boom Corporation shall not be liable for the loss of logs belonging to those persons who may have requested the same to be stopped at the Sugar-Island Boom; and all persons wishing their logs stopped at the Sugar-Island Boom, shall make a request to the proprietors thereof in writing, on or before the first day of April of each year, and the same shall be delivered, or a copy thereof to the proprietors of the Penobscot Boom Corporation on demand. But this shall not authorize the Penobscot Boom Corporation to turn out any lumber, which may come into their boom without the consent of the owners thereof, they paying boomage.

Proprietors of P. B. Corporation not liable for certain logs &c.

Persons wishing their logs stopped at S. I. B. shall make a request in writing.

Penobscot Boom Corporation shall not turn out logs which come into their boom without the consent of the owner.

SECT. 9. *Be it further enacted,* That any two of the three persons first above named may call the first meeting of this corporation, by publishing fourteen days previous notice thereof in the Eastern Republican, a newspaper printed in Bangor ; at which meeting all necessary corporation business may be transacted.

First meeting.