

# MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL

ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FOURTEENTH LEGISLATURE,

At its Session, held in January, 1834.

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PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

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AUGUSTA :

I. BERRY & CO. PRINTERS TO THE STATE.

1834.

officers, who shall hold their offices until the fourth Monday of March then next.

Three fourths of the legal voters required for the acceptance of this act.

Proviso.

SECT. 22. *Be it further enacted*, That this Act shall take effect and be in force, when the same shall have been accepted by the inhabitant of said town, qualified to vote in town affairs, at a legal town meeting held for that purpose, and by such a majority of all the votes given on the question of its acceptance, that the number in favor of such acceptance shall be to the number against it in the proportion at least of four to three: *Provided*, it shall be so accepted within three years from the passing this act; but not more than one meeting for that purpose shall be called in the same year. And the vote on such question shall be taken by ballot.

Former acts repealed.

SECT. 23. *Be it further enacted*, That all acts and parts of acts, inconsistent with the provisions of this act, be and the same are hereby repealed from and after the time, when this act shall have been accepted, as aforesaid, and the new system of government organized as herein provided.

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CHAPTER 437.

AN ACT to incorporate the Sebois Sluice-way Company.

Approved February 14, 1834.

Persons incorporated.

Powers, privileges, &c.

To keep open a sluice way in Sebois river.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That James T. Hobart and Sylvanus L. Mitchell, with their associates and successors be, and hereby are created a corporation by the name of the Sebois Sluice-way Company, with power to prosecute and defend suits at law; to have a common seal, to make by-laws for the management of their affairs, not repugnant to the laws of this State: and the proprietors of said Sluice-way shall make and keep a good and sufficient Sluice-way by the Falls on the west branch of the Sebois river in township numbered six, seventh range in the County of

Penobscot, for the purpose of passing timber and logs through the same; and to construct dams above and below said falls, with such side dams and booms as they may deem necessary for the purpose of collecting and floating said logs and timber through said Sluice-way, and in case it shall become necessary to raise said dams so as to cause the waters of said river to flow on to the lands of any other persons, said proprietors shall be held to make such compensation for all damages occasioned thereby, as shall be adjudged reasonable and just, and said proprietors shall keep open a slip gate, and a person at said Sluice-way to receive the toll and open the gates: *Provided* the owners of the logs shall be at the expense of turning said logs through said slip gate.

Proprietors liable for damages caused by flowing of lands.

Proviso.

SECT. 2. *Be it further enacted*, That a toll be and hereby is granted for the use of said corporation at the following rates, to wit. For every stick of timber or log which shall pass through said Sluice-way Six cents—and said corporation shall at all times, for the term of twenty years from the passage 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 repair—*Provided*, any one of said corporation be notified and the same is not done without unnecessary delay; such damage, or any other, by reason of flowing the land of other persons, to be recovered in any Court of competent jurisdiction, to be estimated by a jury in the manner prescribed by law for ascertaining damages done to individuals by the erection of mill-dams and flowage, or by a disinterested committee mutually agreed upon by the parties, and the private property of the corporation shall be holden to satisfy any judgment that may be recovered against them.

Amount of toll granted said corporation.

To keep sluice way in repair for 20 years and liable for damage in case &c.

Proviso.

Damages how estimated.

Private property of corporation holden.

SECT. 3. *Be it further enacted*, That this Act of incorporation shall continue for and during the term of twenty years from the time said sluice-way shall be completed, and that the Legislature shall have the power from time to time to alter or regulate the rates of toll, as it may deem expedient;

Act of incorporation to continue for twenty years.

Legislature to regulate rates of toll.

and if the said corporation shall not within two years from the passage of this Act, make a good and sufficient sluiceway with the necessary dams, side dams and booms for the purposes aforesaid, then this Act shall be void.

In case of refusal to pay toll proprietors may sell logs.

SECT. 4. *Be it further enacted*, That if any owner or owners of any logs or timber shall refuse to pay toll, said Proprietors may take and sell at public auction so many of said logs as may be necessary to pay the toll and charges thereon, first giving reasonable and sufficient notice to such owners of the time and place of sale; and that the said proprietors shall always have a lien upon any timber or logs, for all toll and charges which may be due thereon.

Penalty for injuring property of corporation.

SECT. 5. *Be it further enacted*, That if any person or persons shall wilfully or maliciously, injure or destroy said sluiceway, gate-dams or booms as aforesaid, he or they shall pay treble damages for such trespass to be recovered in any court of competent jurisdiction.

Mode of calling first meeting.

SECT. 6. *Be it further enacted*, That either of the persons named in the first section of this Act, be and hereby is authorized to call the first meeting of said proprietors, at such time and place, as he may direct, by notifying each proprietor of the time and place of such meeting five days previous thereto.

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## CHAPTER 438.

AN ACT to incorporate the Associates of the Maine Wesleyan Journal.

Approved February 15, 1834.

Persons incorporated.

Corporate name.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That James B. Cahoon, Eliphalet Clarke, John Robinson, and Jonathan Tukesbury, with their associates, successors and assigns, be and hereby are created a body corporate by the name of the Associates of the Maine Wesleyan Journal, for the purpose of publishing a paper by the name of the