

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

PRIVATE AND SPECIAL

ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FOURTEENTH LEGISLATURE,

At its Session, held in January, 1834.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA :

I. BERRY & CO. PRINTERS TO THE STATE.

1834.

chase and hold, in addition to the real estate mentioned in the Act of incorporation passed March fifteenth one thousand eight hundred and thirty, and the Act additional thereto, passed March twenty-fifth, one thousand eight hundred and thirty-one, the flats adjoining the burying ground in said Bangor, and a parcel of land containing about one half of an acre, the same which was conveyed by John O'Brien to William Emerson and others by his deed bearing date June twenty eighth, one thousand eight hundred and thirty one, and such further real estate as may be necessary for the purposes of said Corporation, not exceeding in value the sum of Ten Thousand Dollars; and said Corporation shall have full power to grant and sell the said real estate or any part thereof, and also to lease, use, manage and improve the same in such manner, as may be determined on, by two thirds of the votes of said Proprietors, given at any legal meeting of said Corporation.

Bangor Pier Corporation authorized to purchase and hold additional real estate.

To have power to sell, convey, and lease the same, &c.

CHAPTER 492.

AN ACT to incorporate the Proprietors of the Moosehead Dam Company.

Approved March 8, 1834.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That Samuel A. Bradley, M. P. Sawyer, Henry W. Fuller, Stephen Cummings, Seth Paine Jr., John L. Mason, Samuel E. Crocker, Reuel Williams, Mason Greenwood, Samuel K. Whittier, Ebenezer H. Scribner, John Bradley, Thomas W. Smith, John White, Richard T. Dunlap, Jabez Bradbury, Alfred Johnson Jr., Luther Fitch, Nathaniel Mitchell, Moses Titcomb, George W. King, John Warren, Nathaniel Warren and Joshua M. Rideout with their associates and successors be and hereby are created a body politic by the name of the Proprietors of the Moosehead Dam Company with power to sue and be sued; to have a common

Names of persons incorporated.

Corporate name.

Powers, privileges, &c.

seal ; to make any rules or by-laws for the management of their affairs not repugnant to the laws of the State, and generally to have and to exercise all the powers and privileges usually granted to corporate bodies.

Authorized to construct a dam over the East branch of Kennebec river, &c.

SECT. 2. *Be it further enacted,* That said Corporation are hereby authorized to make and construct a dam or dams, of good and durable materials in a permanent and substantial manner, and to the satisfaction and approbation of the land Agent, across the East Branch of the Kennebec river, at such place, at or near the East outlet of Moosehead Lake as the said Corporation may deem the most eligible for the purpose of flowing the water a sufficient height in said Lake as will afford annually a sufficient supply to float the timber through the same—*Provided, however,* That by the erection or maintenance of said dam or dams, or other works connected therewith, no injury shall be done to private property or to the rights of individuals ; and in case said Corporation shall take and use the dam now erected at the East outlet of Moosehead Lake or any of the materials composing the same, they shall pay a just and fair value therefor, to the owner or owners thereof—And in case any disagreement

Proviso.

between said Corporation and other person or persons as to the amount of damages he or they may have sustained arising from the location of said dam or dams or other works, or in consequence of any injury occasioned by overflowing lands, or otherwise, or in the value of any materials which may be taken and used as aforesaid—the subject of such damages and the value of such materials shall be referred to three disinterested men whose decision in the premises shall be conclusive ; but in case such referees shall be unable to agree as to the amount of such damages, then the same shall be submitted to the County Commissioners for the County of Somerset whose decision thereon to be final. And *provided also,* that said Corporation shall obtain by purchase a good and valid title to the land on which said dam, dams or other works, shall be erected, or a license from the owner or owners of such

Proceedings in case of disagreement as to damages.

Further proviso as to purchasing title, &c.

land, authorizing the building and maintaining the same thereon—And it shall be the duty of said Corporation, between the first day of July and the first day of November in each year, to raise or remove the gate or gates of said dam or dams and keep them open, so that during the season aforesaid there shall be no obstruction to the natural flow and current of water from said Lake down the Kennebec River.

Corporation at certain seasons to open gates of said dam.

SECT. 3. *Be it further enacted,* That if any person shall wilfully or maliciously take up, break down, or otherwise injure any part of said dam, dams or sluiceways, such person or persons for any such offence shall forfeit and pay to said Corporation treble damages to be sued for and recovered in any Court competent to try the same—And it shall be the duty of said Corporation at all times when any logs or timber shall be run through the sluiceways and dam as aforesaid to keep up the gate or gates thereof so as to furnish a sufficient quantity of water to float said logs and lumber from said dam down the Kennebec River.

Penalty for wilfully injuring property of corporation.

Gates in certain cases to be kept open.

SECT. 4. *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 ; One Cent and an Half per thousand board measure for all timber, logs and lumber which may pass through said sluiceway—but said tolls shall cease and be discontinued whenever and so long as the head of water raised in the Lake by means of the said dam, shall be so reduced or shall become so low, as that said dam and sluice shall afford no material benefit or facility in the running of lumber—And the said corporation shall have a lien upon the lumber which may pass through said sluice from said dam, for the payment of the toll due and payable thereon according to the rates of toll above specified—And it shall be the duty of said corporation, to give notice, at what time they will receive the toll, and the name of the agent or person who shall be appointed therefor.

Rates of toll.

Corporation to have a lien on lumber, &c.

SECT. 5. *Be it further enacted,* That the first meeting of said corporation shall be notified and called at such time

First meeting—how called.

and place as a majority of the corporators may determine, by giving reasonable and seasonable notice thereof.

CHAPTER 493.

AN ACT requiring the use of Broad Rimmed Wheels in the town of
Hallowell in certain cases.

Approved March 8, 1834.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That every inhabitant of the town of Hallowell, who shall before the first day of April in the year of our Lord one thousand eight hundred and thirty five, procure and become the owner of a pair of iron bound ox cart or wagon wheels, with felloes not less than six inches wide upon the outer side thereof, shall, on exhibiting to the Treasurer of said town satisfactory evidence thereof, be entitled to receive out of the Treasury of said town, such a sum, as a bounty, for such ox cart or wagon wheels, as said town, in legal town meeting, may vote to allow therefor — *Provided,* That no more than one bounty shall be paid on the same pair of wheels, nor shall any bounty be paid to any person who manufactured or altered them for the purpose of sale, and not for his own use.

Inhabitants of town of Hallowell entitled to bounty on procuring broad rimmed wheels.

Proviso.

Loads exceeding five thousand pounds not to be transported on any public highway unless wheels are of a certain width.

Penalty for so doing.

Proviso.

SECT. 2. *Be it further enacted,* That after the first day of April, in the year of our Lord one thousand eight hundred and thirty five, no person shall use or cause to be used in transporting a load exceeding five thousand pounds in weight on any public highway within the limits of said town of Hallowell, with the exceptions hereinafter provided, any ox cart or wagon wheels with felloes of less width than is specified in the first section of this Act, under a penalty of Ten Dollars for each time he shall so use or direct or suffer to be used a pair of said iron-bound wheels of less width than aforesaid, and for each pair he may so use. *Provided however,* That this penalty shall not