

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FIFTEENTH LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1835.

Published agreeably to the Resolve of June 28, 1820.

AUGUSTA:

WILLIAM J. CONDON.....PRINTER TO THE STATE.

1835.

such offence to be recovered by action, in any Court competent to try the same, one half to the use of the person prosecuting, and the other half to the use of the Company.

Private property of individuals holden to pay company debts.

SECT. 7. *Be it further enacted,* That the private property of individuals of the Company shall be holden to pay the debts contracted by the Company, in default of Company property, whereon execution may be satisfied.

Former Acts repealed.

SECT. 8. *Be it further enacted,* That all Acts and parts of Acts so far as the same relate to driving logs and other timber on Kennebec River be and the same are hereby repealed, and this Act shall take effect from the time the same shall be approved.

CHAPTER 591.

AN ADDITIONAL ACT establishing the Kennebec Boom Corporation.

Approved March 21, 1835.

Extension of powers of Kennebec Boom Corporation.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That the Kennebec Boom Corporation shall have power in addition to the places now authorized by the several Acts to construct and maintain Booms, to construct and maintain side Booms near Brown's Island (so called) in the town of Hallowell and also near the small Island above the village in said town—*Provided however,* That the free navigation of the Kennebec River shall not be interrupted or impaired thereby.

Proviso.

Booms to be constructed prior to first day of May, 1836.

SECT. 2. *Be it further enacted,* That said Corporation shall be prohibited from constructing Booms in any place above tide waters, where it shall neglect to construct a Boom or Booms prior to the first day of May one thousand eight hundred and thirty six.

Duty of corporation as to logs and timber running in Kennebec River

SECT. 3. *Be it further enacted,* That said Corporation be required whenever any logs or timber shall be running in the Kennebec River to use all reasonable exertion, care and diligence, to tow into and secure in their several Booms situated in tide waters, all such logs or timber as the said Corporation are by law authorized to stop and secure,

and shall as soon as practicable thereafter raft and secure such logs or timber, and shall raft in separate rafts, unless otherwise directed by the owners thereof, the logs or timber of each owner or Company of owners, who shall seasonably furnish the Agent or Boom-master of said Corporation with his or their respective marks; and the owner or owners of such logs or timber shall make said Corporation a reasonable compensation for the warp or rope used for rafting the same; or shall furnish and substitute his or their own warp for that of the said Corporation—And the said Corporation shall not be entitled to the additional fees for booming, for the keeping of logs or timber, longer than one month, as prescribed in the third section of the Act, to which this Act is additional, on such logs or timber the respective marks of which the owners thereof have seasonably furnished as aforesaid—

Owners of logs, &c. to compensate corporation for use of warp, &c.

Not entitled to additional fees in certain cases.

SECT. 4. *Be it further enacted*, That the provisions of the second section of the Act establishing the Kennebec Boom Corporation, which relates to clearing the Booms daily of the logs intended to be run further down the Kennebec River, be and the same hereby is restricted and deemed to apply only to said Booms and not to the Booms erected in tide waters in virtue of subsequent Acts.

Provisions of 2d section of act of incorporation not to apply to booms erected in virtue of subsequent acts.

SECT. 5. *Be it further enacted*, That whenever said Corporation and any persons interested in logs or timber which may be boomed or rafted as aforesaid, or in any manner connected or concerned therewith shall be unable to agree as to the amount of any claim for damages or otherwise,—each party shall choose a person as arbitrator, and in case said arbitrators cannot agree, said arbitrators shall make choice of a third person and the decision of whom or the major part of whom to be final both as it respects the costs of said reference and all other matters and things which may be submitted to their decision; reserving however to either party a right of appeal from such decision and a trial at common law, if claimed by either as in other cases. *Provided however*, That the provisions of this section shall not be so construed as to prevent said Corporation having recourse to legal process for the collecting of boomage.

Proceedings when corporation and owners of timber cannot agree as to claims to damages.

Right of appeal reserved.

Proviso.

SECT. 6. *Be it further enacted*, That all Acts or parts of Acts inconsistent with the provisions of this Act be and the same hereby are repealed.

CHAPTER 592.

AN ACT to incorporate the Proprietors of the Merrymeeting Bridge.

Approved March 21, 1835.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That William King, George F. Patten, Joseph Sewall, David C. Magoun, William Richardson, John Patten, Daniel Marston, Charles Clapp and Oliver Moses, with their associates and successors, be and they hereby are constituted a body politic and corporate, by the name of the Proprietors of Merrymeeting Bridge, with power to erect and maintain a Bridge over the Androscoggin River, at or across Mustard's Island, so called, and from land in Brunswick to that on the opposite side in Topsham, and to purchase and hold such estate, real and personal, as may be necessary to carry into complete effect the object aforesaid, and with all other powers usually granted or incident to such Corporations.

Names of persons incorporated.

Corporate name.

Powers, privileges, and right to hold property.

Construction and location of bridge.

Rates of toll to be fairly and legibly printed.

SECT. 2. *Be it further enacted*, That said Bridge shall be well built of good materials, at least twenty four feet wide, well railed, and kept in good, safe and passable repair; and at the place where tolls are collected, the rates of toll shall be fairly and legibly printed in large or capital letters, and kept constantly exposed to the view of passengers.

Proprietors to keep and maintain a sufficient draw for passage of vessels, &c.

SECT. 3. *Be it further enacted*, That said Proprietors shall build and keep ready for opening, over the main channel and as nearly as may be at right angles to the same a sufficient draw for all vessels of ten or more tons burden and for Steam Boats passing up or down said river with all reasonable facility and convenience and shall at all times