

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

SIXTYEIGHTH LEGISLATURE,

At its Session, held in January, 1836.

Published agreeably to the Resolbe of June 28, 1820.

AUGUSTA:

SMITH AND ROBINSON,.....PRINTERS TO THE STATE.

1836.

associates, successors and assigns, be, and they hereby are created a body politic and corporate, by the name of the Phippsburg Coal Company, for the purpose of opening and working coal mines in the Town of Phippsburg in the County of Lincoln with power to have and to hold estate real and personal not exceeding in value one hundred thousand dollars and the same at pleasure to sell and dispose of as they may see fit. And said Company shall be entitled to the rights and privileges and be subject to the duties and requirements of "an Act concerning Corporations" passed February 16, 1836, and shall also be subject to the laws regulating manufacturing Corporations.

SECT. 2. *Be it further enacted,* That, the Legislature may, at any time, enlarge, restrain, or annul the powers granted by this Act.

Corporate name.

May hold estate to the amount of \$100,000.

Rights and privileges.

Legislature may enlarge, &c.

Chapter 69.

AN ACT to incorporate the St. Croix Navigation Company.

Approved March 3, 1836.

Names of Corporation.

Corporate name.

Powers, &c.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That Anson G. Chandler, Reuel Williams, John A. Chandler, Daniel Williams, Samuel Veazie, Niel D. Shaw, George M. Chase, Shelomith S. Whipple, Luther C. White, George W. Stanley, Josiah Pierce and Joseph Whitney with their associates, successors and assigns, be and they hereby are incorporated into a body politic by the name of the St. Croix Navigation Company, with the power and for the purpose of floating lumber and other articles with greater facility and of using and navigating rafts, boats and other water craft upon the waters of the St. Croix River, between the tide waters thereof and the outlet or foot of the Chepetnecook Lake, with all the powers and privileges and subject to all the duties and liabilities, provided and required by an Act, passed on the sixteenth of February, 1836, entitled "An

Act concerning Corporations." *Provided*, that the rights of others, public and private and of every description, in the use of the waters of said River shall not be infringed or impaired. Proviso.

SECT. 2. *Be it further enacted*, That for the purposes of this Act, the Corporation is hereby authorized to purchase and hold any estate, real and personal to an amount not exceeding two hundred thousand dollars, and the Capital Stock shall be divided into shares of fifty dollars each, and the stockholders shall be allowed one vote for the first share, and one vote for every two succeeding shares— *Provided*, no member shall be entitled to more than twenty votes; and any member may vote by proxy authorized in writing. May hold estate to amount of 200,000 dollars.
Capital stock—how divided, &c.
Proviso.

SECT. 3. *Be it further enacted*, That said Corporation may construct and maintain such dams, locks, piers, booms, inclined planes, and other structures and excavations as may be necessary for said purposes. May construct and maintain dams, &c.

SECT. 4. *Be it further enacted*, That if any person shall wilfully or maliciously destroy, injure, impair or obstruct any of the rights, privileges or property of the Corporation as herein granted, such person shall forfeit and pay to the party injured, treble damages, to be recovered in an action of trespass, or be punished by fine to the use of the State, not exceeding five hundred dollars, or imprisonment, not exceeding six months, by indictment in any Court of competent jurisdiction. Persons wilfully injuring, &c. liable to treble damages, fine or imprisonment.

SECT. 5. *Be it further enacted*, That if any person shall by boat, raft or otherwise wilfully delay or obstruct the approaching, entering, passing or re-passing any lock, inclined plane, sluice or other avenue, or do any other act whereby the operations of said Corporation in the transportation on said river shall, under the improvements authorized by this Act, be obstructed, such person shall for every such offence, forfeit and pay all damages therefor to be recovered in an action of the case. Liability of persons obstructing any lock, &c.

SECT. 6. *Be it further enacted*, That said Corporation may take and occupy such lands adjacent to said River as May take lands by paying just com-

Compensation there-
for.

Compensation for
—how determin-
ed.

Persons injured
by flowage, to
have remedy.

Rates of toll
established.

Articles transpor-
ted by boats, toll
established.

may be necessary for the purposes of this Act, on paying a just compensation to the owners to be determined in the same manner and subject to the same rules and regulations as are provided in the several Acts for the laying out of highways.

SECT. 7. *Be it further enacted,* That if by reason of any powers, herein granted, any person shall be injured by the waters flowing on such person's lands, he shall have the same remedy, in the same manner and to the same effect, as is, or shall be provided by the several Acts for the support and regulation of Mills.

SECT. 8. *Be it further enacted,* That there shall be allowed to said Corporation, a toll upon all articles, as follows, viz: All square and round timber to be run down at the expense of the Corporation, if the same will float without the assistance of boats, and to be delivered at their works, seventy five cents per thousand feet, to be scaled by board measure, if the same shall pass the whole distance embraced in the Corporation; all planks, joists and other lumber that may be floated without boats, at any place on the river where the same may be delivered, shall be transported to any place designated on the river within the limits of the corporation, at the rate of seventy five cents per thousand, board measure; for every boat passing either way the whole of said distance besides the toll required for the articles on board, that is to say, for each boat not exceeding two tons burden, one dollar; over two and not exceeding five tons, one dollar and fifty cents; over five and not exceeding twenty tons, two dollars; over twenty and not exceeding forty tons, two dollars and fifty cents; over forty tons three dollars. Upon articles transported by boats, the whole of said distance, as follows; each cord of bark or wood, seventy five cents; hard wood lumber, unmanufactured, thirty seven and a half cents per ton; staves or clapboards, seventy five cents per thousand; shingles and laths, fifteen cents per thousand; hoop poles and cedar posts, seventy five cents per cord; agricultural products, one dollar and twenty five cents per ton; other merchandize, two dollars per ton, the tolls for any parts

of the distance shall bear the same proportion to the rates aforesaid, as that part of the distance bears to the whole. And said Corporation shall have a lien upon said boats and articles, and may detain the same for the tolls, until the same shall be paid, and at the expiration of thirty days from the time said toll shall have become payable, may, after reasonable notice, raise the same by public sale of so much of said boats or articles, as will pay the same with the expenses of collecting—or said Company may sue for and recover said tolls by action of debt in any Court of competent jurisdiction—*Provided*, That when boats or articles shall be entered for transportation at either end or terminus embraced within the limits of the corporation and intended for the whole distance, the same toll may be exacted whether the same be transported the whole distance or not —*Provided also*, That no toll shall be taken or exacted until the river shall become boatable by the falls for flat bottomed boats of at least ten tons burden at all seasons when not encumbered by ice, and the tolls shall be subject at all times to revision and modification by the Legislature.

Corporation to have a lien upon all boats, &c. for the payment of toll.

Proviso.

Proviso.

Tolls subject to the revision of the Legislature.

SECT. 9. *Be it further enacted*, That it shall be the duty of said Corporation to make and keep in good repair at all times, good and sufficient bridges over any part that may be canaled where any County road or town road now crosses, or wherever the same may hereafter be found necessary to pass upon any land that may be taken by said Corporation, and the the same to be kept in good repair.

Corporation to keep bridges over such parts as may be canalled, where roads cross.

SECT. 10. *Be it further enacted*, That this Act shall not be so construed as to prejudice the rights of any mill owner or owners, or any owner or owners of booms, piers, or mill privilege or privileges, or dam or dams that may belong to them, nor shall their interest be prejudiced by reason of the water being retained by any dam, bulkhead or lock to be erected by said Corporation; nor shall this Act be so construed as to prejudice any Corporation heretofore granted, nor to prevent or restrain any person or persons from the use of the water of the river as it had

No powers granted in this Act to the prejudice of owners of mills, booms, &c. or prior Corporations.

been or might have been used in a state of nature nor to subject them to toll for the use as aforesaid.

Works, &c. to be constructed within five years.

This Act to have no effect until similar Act is granted by New Brunswick.

SECT. 11. *Be it further enacted*, That if said Corporation shall not construct the works, and make the improvements, by this Act provided, within five years from the enactment thereof, it shall be null and void; and it shall have no effect until an Act of incorporation for like purposes shall have been granted by the authority of New Brunswick from some point on the St. Johns to Cheputnecook Lake—and whatever toll shall be received under the authority of New Brunswick for the transportation herein provided, and within the limits of this Corporation, shall be deducted from that herein granted.

Limitation of act.

Subject to the modification of the Legislature.

SECT. 12. *Be it further enacted*, That this Act shall continue and be in force twenty years, subject however to be annulled or modified by the Legislature.

Chapter 70.

AN ACT to incorporate the New Meadows Granite Company.

Approved March 4, 1836.

Names of corporators.

Corporate name.

Powers and duties.

May hold estate to amount of 200,000 dollars.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That Peter H. Greene, Ebenezer Clapp Francis Adams with their associates successors and assigns, be and they hereby are created a Corporation by the name of the New Meadows Granite Company for the purpose of quarrying working and dealing in Granite and other stone in the Town of Brunswick and of transporting the same to market, and for these purposes shall have all the powers and privileges, and be subject to all the duties and requirements incident by law, to similar corporations, and may take, hold and manage real and personal estate, not exceeding at any one time, two hundred thousand dollars.