

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 Resolve of June 28, 1820.

AUGUSTA:

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

1836.

six, and may take and hold real or personal estate, to an amount, not exceeding at any one time, in the whole, the value of one hundred thousand dollars.

Chapter 119.

AN ACT concerning the Sullivan Hopewell Granite Company.

Approved March 15, 1836.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That the Sullivan Hopewell Granite Company may hold real and personal estate of the value of two hundred and fifty thousand dollars in the whole, any thing in existing laws to the contrary notwithstanding and make and enforce in law all convenient and necessary by laws not repugnant to law, and the Constitution of this State.

May hold estate to the amount of \$250,000.

Chapter 120.

AN ACT to establish the Androscoggin Canal and Mill Corporation.

Approved March 15, 1836.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That Moses Mason Jun. Henry H. Boody, John Merrill, John B. Cross, Jonas L. Sibley and Edward Crehore, with their associates, successors and assigns, be and the same are hereby incorporated and created a body politic by the name of the Androscoggin Canal and Mill Corporation with all the privileges and immunities, incident by law to a Corporation aggregate. And said Corporation may take, hold and convey, any estate, real, personal, or mixed, necessary for carrying into effect the objects of this Act.

Names of Corporators.

Corporate name.

SECT. 2. *Be it further enacted,* That said Corporation shall have the power to lay out, make, and maintain a Powers, &c.

Canal from the westerly bank of the Androscoggin River at any point in the Town of Bethel, in the County of Oxford to Songo Pond in said town of Bethel, and thence through or near Crooked River so called, to the waters at the head of the Cumberland and Oxford Canal, that is to say at the mouth of said Crooked River so as to open a continuous communication, by water from the bank of the Androscoggin River, to said Cumberland and Oxford Canal, and thence through said Canal to Portland; and said Corporation shall have the right to erect and maintain mills, factories and machinery upon the privileges of said Corporation between Songo and Sebago Ponds aforesaid--

Provided however, that said Corporation shall at no time divert, for the use of said Canal, the waters of the Androscoggin River, or of any of its tributaries, except the waters of Pleasant River, as hereinafter provided; and *provided further*, that the tolls established by said Corporation on said Canal shall at all times be subject to any alteration or modification, which the Legislature shall adopt.

Proviso.

SECT. 3. *Be it further enacted*, That for the purposes aforesaid said Corporation may take and use any lands, along the course of said Canal, not exceeding the width of twenty rods, paying a just compensation therefor; and, for the purpose of supplying and maintaining said Canal, the said Corporation is hereby authorized to take and use any ponds, and streams; with the exceptions aforesaid, as the same may be convenient and necessary; and to make in any part of said Canal, all such locks, flood gates, docks, embankments, basins, piers, wharves and other works, as may be convenient and necessary for the purposes of this Act.

Powers, &c.

SECT. 4. *Be it further enacted*, That said Corporation shall have the power to construct and maintain across the Androscoggin River, at any point in the Town of Bethel, aforesaid, where said dam shall not divert the waters of said river through said Canal, a Dam which shall not at any time raise the waters of the river aforesaid more than four feet.

SECT. 5. *Be it further enacted*, That said Dam shall be so constructed as that the same shall not impede the passage of logs to any market below said dam; and that no boom or other works shall be so constructed in any way impeding the passage of logs down said river.

Not to impede the passage of logs down said river.

SECT. 6. *Be it further enacted*, That said Corporation is hereby empowered to construct and maintain, for the promotion of the purposes aforesaid, a feeder from Pleasant River into said Canal sufficient to supply said Canal with water, and to take and use such land upon the course of said feeder as may be necessary for the same, paying therefor a fair and full compensation.

May construct a feeder, &c.

SECT. 7. *Be it further enacted*, That where said Corporation cannot agree with any person or persons, claiming any real estate through which said Canal may pass, upon the value of said land, or the damages accruing to said owners by means of said Canal, he or they may, by petition apply to the Supreme Judicial Court, or Court of Common Pleas for the County where said land lays, for remedy. And said Court shall order notice to be given to said Corporation, of the pendency of such petition, and if said Company shall contest the complainant's title to said lands alleged to be injured by means of said Canal, issue shall be joined thereon, and a trial had at the bar of the said Court. And if such person or persons, at said trial, obtain judgment against said Corporation, he or they shall recover costs as in other cases. And the Court shall thereupon, appoint three or more disinterested freeholders, to make true and faithful appraisement of the damages already sustained, by said complainant or complainants as well as those yearly sustained by them, which report being accepted shall be final in the premises, and judgment shall be rendered, and execution issued thereupon, with costs,—*Provided*, that nothing in this Act contained, shall prevent any person or persons, who may sustain damages or injury of any privileges or water power from the diversion of Pleasant River aforesaid, or for any lands taken for the use of said Canal, or which may be flowed by reason of

Remedy for damages, how obtained.

Proviso.

MAINE SIENITE COMPANY.—RAIL ROAD COMPANY.

any works or obstructions erected by said Company, from obtaining redress in the same course of judicial proceedings, as if this Act had not been passed.

Chapter 121.

AN ACT to incorporate the Maine Sienite Company.

Approved March 16, 1836.

Persons incorporated.

Corporate name.

May hold estate to the amount of 300,000 dollars.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That Roscoe G. Greene, George Purinton, Daniel Winslow, and Winslow H. Purinton, their associates, successors and assigns be, and they hereby are created a Corporation by the name of the Maine Sienite Company, for the purpose of quarrying, manufacturing, dealing in, and exporting Sienite and other stone upon and from their own land in the Town of Saco, with power to hold and manage real and personal estate, not exceeding at one any time, three hundred thousand dollars. And said Corporation shall be vested with all the powers and privileges, and be subject to the restrictions and liabilities now in force by the existing general laws of this State regulating Corporations, and the provisions of an Act on the same subject, passed the sixteenth day of February in the year of our Lord eighteen hundred and thirty six.

Chapter 122.

AN ACT to incorporate the Jonesborough and Whitneyville Railroad Company.

Approved March 16, 1836.

Persons incorporated.

SECT. 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That Edmund Monroe, Samuel J. Lewis, Joseph Whitney, Benjamin Mathes, Charles