

MAINE STATE LEGISLATURE

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PRIVATE

AND

SPECIAL ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

EIGHTEENTH LEGISLATURE,

JANUARY SESSION, 1838.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:
LUTHER SEVERANCE, PRINTER.

1838.

Chapter 490.

AN ACT to incorporate the Ogunquet Road Company.

Approved March 23, 1838.

Corporators.

Corporate name

May hold real estate \$1,000.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That Joshua Hubbard, Joseph Hubbard, Enoch Goodale, John B. Maxell, Theodore Webber and Stephen Stevens their associates, successors and assigns, be and they are hereby incorporated by the name of the Ogunquet Road Company, for the purpose of constructing and keeping in repair a road, on their own land, in the town of Wells, and for that purpose shall have power to hold real estate to an amount not exceeding in value one thousand dollars, and shall have all the powers and privileges and be subject to all the duties and liabilities mentioned in the several Acts defining the powers and duties of similar corporations.

Chapter 491.

AN ACT to incorporate the Vassalboro' Boom Company.

Approved March 23, 1838.

Corporators.

Location.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled, That W. Redington, John G. Hall, Willard Bailey and Samuel Cole, their associates, successors and assigns, be and they hereby are constituted a body corporate by the name of Vassalborough Boom Company with the powers and privileges, and subject to the liabilities of similar corporate bodies.*

SECT. 2. *Be it further enacted, That said company be and hereby is authorized to erect and maintain a boom or booms on the eastern shore of the Kennebec river, in the town of Vassalborough, upon their own land between Hedge's Point and a point opposite Day's Point, with the right to extend the boom into*

the river from Hedge's Point ten rods ; and from thence on a line following the general course of the eastern shore to a point in the river opposite Day's Point not more than fourteen rods from the eastern shore, for the purpose of stopping and securing masts, spars, logs and other lumber which may be floated down said river, and to erect such piers and other structures as may be necessary to accomplish the objects of said corporation ; and to use so much of the shore, for which they may have the consent of the owners, between Lovejoy's Ferry and a point fifty rods above the Seven Mile Brook as may be necessary and convenient in securing rafts. *Provided* that said boom and piers shall not extend so far into the river as to impede the free navigation thereof, nor shall said company secure or fasten, to said shore rafts that shall extend therefrom a distance exceeding three times the usual lengths of mill logs, or so far as to obstruct the free navigation of the river aforesaid. *Provided also*, that said boom shall be so constructed as not in any way to impede the navigation of said river or to infringe upon or impair any right, public or private, and any person injured thereby may have his remedy by action on the case.

Powers, &c.

Proviso.

Not to impede the navigation of the river.

SECT. 3. *Be it further enacted*, That said Company shall have the right to receive into their boom aforesaid, and secure the logs, masts, spars, and other timber of all persons who shall request them so to receive and secure the same and no other ; and shall have the right to demand and receive the following rates of boomage upon all such timbers for booming and rafting out the same (the owners furnishing or paying for suitable and sufficient warps to secure the same) viz: For each and all logs sufficient to make equal to one thousand feet board measure, forty cents ; for each ton of hardwood timber, twenty-five cents ; for each ton of pine time twenty-five cents ; for each hundred feet of ranging timber, fifteen cents ; and for all other kinds of timber in proportion ; to be estimat-

Rates of toll.

Proprietors to
notify the own-
ers of logs, &c.

To have a lien
on all logs, &c.
for boomage.

To retain no logs
or other lumber
unless requested

Private property
holden for all
damages.

ed from the bills of some surveyor, appointed by the Selectmen of either of the towns of Vassalborough, Sidney, Augusta, Hallowell, Gardiner or Waterville, and sworn to the faithful discharge of the duties of his office. And said company shall from time to time, as they raft from their booms such logs and other timber, notify the owner thereof to receive the same; and unless said owner shall take delivery of the same within thirty days of such notice, and pay the boomage thereon, said company shall not be held accountable for such logs and other timber; but shall be entitled to such boomage, and said company shall have a lien on all logs and other timber stopped by them as aforesaid for the boomage thereon and may sell sufficient to pay such boomage and expenses, at public sale, after having given the owner or owners or their agents thirty days notice in writing of the time and place of such sale and advertized the same in a paper printed in Augusta.

SECT. 4. *Be it further enacted*, That said company shall not receive into their booms or detain in their passage any logs, masts, spars or other lumber unless requested so to do by the owners or agents thereof; and if said company shall receive into their booms any such logs, mast, spars or other lumber against the consent of the owners thereof, and shall detain the same for the space of twenty-four hours or more, said company shall forfeit to said owner or owners three times the damage sustained, to be recovered by action of trespass. And it shall be the duty of said company to turn out all such logs and other lumber from said booms each day and in the day time, and as early as practicable; as also to turn out immediately all rafts and boats which may be by accident drawn into said boom. And for all damage sustained by the neglect of said company as aforesaid, the private property of the stockholders thereof shall be holden each to the amount of his stock.

SECT. 5. *Be it further enacted*, That for the pur-

pose aforesaid, the said corporation be and hereby is authorized to purchase, take by lease, hold, and dispose of real estate adjacent to said boom, or convenient thereto, not exceeding one thousand acres, with all such machinery, buildings and appurtenances as may be necessary or convenient for the management of their affairs.

May hold real estate, 1000 acres, with any buildings necessary.

SECT. 6. *Be it further enacted*, That the powers granted by this Act may be enlarged, restrained or annulled, or any part thereof, at the pleasure of the Legislature.

Chapter 492.

AN ACT to establish the Augusta Free Bridge.

Approved March 23, 1838.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled*, That John H. Hartwell, William A. Brooks, Issachar Snell, Luther Severance, Samuel Homans, George Cox, James Bridge, Robert A. Cony, Thomas Little, William K. Weston, Sewall Lancaster, Cyrus Briggs, John A. Pettengill, and James A. Thompson, their associates, and successors, be and they are hereby incorporated into a body politic and corporate, by the name of The Proprietors of the Augusta Free Bridge, for the purpose of erecting and continuing a Bridge across Kennebec River, in Augusta, between a line across said river, parallel with Kennebec Bridge and ten rods north thereof, and a similar line across said river, three hundred rods north of said Bridge, with all the powers, privileges and immunities incident to similar corporations.

Corporators.

Corporate name.

Location.

SECT. 2. *Be it further enacted*, That said corporation is hereby authorized and empowered to erect and maintain a bridge across Kennebec River, within the limits aforesaid, on condition that said corporation