

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.

the fifteenth day of March one thousand eight hundred and thirty-eight, entitled "A Resolve authorizing a Loan in behalf of the State" and a Resolve passed on the twenty-second day of March, entitled "a Resolve authorizing a Loan in behalf of the State," requiring the payment of two hundred forty-five thousand and seventy-five dollars from the Treasury, be, and the same is hereby appropriated to be paid whenever the money shall be obtained under the before named Resolves, and the Governor with advice of the Council is hereby authorized to draw his warrant upon the Treasurer for the same.

Appropriation
\$245,075.

Chapter 494.

AN ACT ADDITIONAL to an Act to incorporate the Saint Croix River Company.

Approved March 23, 1838.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That there be and is hereby granted to said Company all the rights, powers, authority and privileges in reference to so much of the River St. Croix within this State, as extends from the Grand Falls up to the East Branch thereof to the outlet, inclusive of Cheputneticook Lake, as is granted to it in and by the Act to which this is additional on the other parts of said river but subject to all the same limitations, conditions, restrictions, liabilities and for the same purposes only and subject also to all former grants by the Legislature.

Further powers
and privileges
on the river St.
Croix.

SECT. 2. *Be it further enacted,* That there be and is hereby granted a toll to and for the benefit of said Company according to the rates following: viz. For every thousand feet, board measure, which the logs, masts, ton timber, spars or other timber or lumber, would make which may be drifted or floated or drove through the mouth or outlet of Cheputneticook

Rates of toll.

Toll in lieu of
that granted in
former Act.

Lake ten cents; and for each and every thousand feet as aforesaid so drifted or floated or drove by the Cheputneticook falls not having passed through the outlet of said Cheputneticook Lake eight cents. And that there be and hereby is granted to and for the use and benefit of said Company a toll, in lieu and stead of the toll granted in the fifth section of said original Act, according to the rates following, viz—in lieu of the toll of four cents there named ten cents—in lieu of the toll of three cents there named eight cents—in lieu of the toll of two cents and a half therein granted six cents—in lieu of the toll of two cents therein granted five cents—in lieu of the toll of one cent and a half therein granted four cents—in lieu of the toll of one cent therein granted three cents, and that the said Company may have and use all the same means for the recovery of the same as is pointed out and provided in the fifth section of the Act aforesaid for the recovery of tolls there named.

Damages how
estimated.

SECT. 3. *Be it further enacted,* That if any person or persons shall suffer damage by the exercise of any of the powers granted in this Act, or if there shall be taken and used by said Company any dam or the materials of any dam of the kind named in the third section of said Act on said East branch, which said Company is authorized to take and use, and the amount or value thereof cannot be agreed upon by the parties the same shall be estimated and ascertained in the same manner as is provided in said third section of said Act for estimating the damages therein named.

Penalties exten-
ded.

SECT. 4. *Be it further enacted,* That the provisions in the fourth section of said Act, relative to the penalties for the causes therein named and the mode of recovery thereof therein provided be and are hereby extended and made applicable to any and all such injuries to any such improvements or works of said Company which they are herein authorized to make or erect.

SECT. 5. *Be it further enacted,* That said Com-

pany shall not begin to take toll on any part of said East branch of said river until their works and improvements thereon rendering the floating, drifting or driving of logs, masts, spars and timber thereon safe and convenient, shall be fully completed.

SECT. 6. *Be it further enacted*, That said Company may take and hold at any one time any estate real, personal or mixed to the amount of twenty-five thousand dollars in the whole, and the same may sell, convey or otherwise dispose of at pleasure.

May hold estate to amount of \$25,000.

SECT. 7. *Be it further enacted*, That the term of five years be and hereby is granted to said Company within which they may complete the works and improvements contemplated herein and by the Act to which this is additional—and if the same be completed within that time then the said Act to which this is additional and this Act shall be in full force, otherwise they shall both be void as to such parts of the river upon which the works are not completed within that time.

Works to be completed within five years.

SECT. 8. *Be it further enacted*, That the provisions of the seventh and tenth sections of said Act be and the same hereby are made applicable and extended to all of the works, improvements and proceedings of said Company which they make or erect on said East branch.

SECT. 9. *Be it further enacted*, That this Act shall not be so construed as to interfere with or prejudice the rights and privileges granted to the Saint Croix Navigation Company.

Chapter 495.

AN ACT, to incorporate the Union Marble and Lime Company.

Approved March 23, 1838.

SECTION 1: *Be it enacted by the Senate and House of Representatives in Legislature assembled*, That