

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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.

Part of former
Act repealed.

SECT. 4. *Be it further enacted,* That the fourth section of the Act to which this is additional, approved March twentieth, A. D. one thousand eight hundred and thirty-seven, be, and the same is hereby repealed, as also any parts of said Act inconsistent with the provisions of this Act.

Any person may
become a mem-
ber, &c.

SECT. 5. *Be it further enacted,* That any person may become a member of this Company by leaving a request for that purpose in writing by him signed, with the Clerk, which shall be by the Clerk recorded and kept on file: and any person may withdraw from said Company by filing with the Clerk a request for that purpose, and paying all assessments and debts due from him to said Company.

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 497.

AN ACT to incorporate the Madison Boom Company.

Approved March 23, 1838.

Corporators.

Corporatename.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That Benjamin Spaulding, Alvah Heald, Wentworth Viles, Ariel Pinkham with their associates, successors and assigns be and they hereby are created a body politic and corporate by the name of the Madison Boom Company and by that name may sue and be sued—have and use a common seal; make by laws for the management of their concerns not repugnant to the laws of the State and have and enjoy all the rights and privileges incident to similar corporations.

Powers and priv-
ileges.

SECT. 2. *Be it further enacted,* That said company may erect and maintain a boom with a suitable number of piers commencing at a rock in the Kenne-

bec River situate about ten rods from its western shore and near the mouth of Gilbert Stream so called in An-son and extend the same towards said western shore but not so far as to prevent or impede any lumber from floating down said river between the western shore and said boom.

SECT. 3. *Be it further enacted,* That said company may also erect and maintain on their own lands a side boom on the western side of said Kennebec river near and below the place aforesaid for the purpose of securing their own lumber, and the lumber of all other persons who may wish it secured in said boom and no other and may erect piers wherever necessary for rendering said boom sufficiently strong to secure the lumber contained therein *Provided however* that said boom shall not extend so far into the river as to prevent any lumber from freely floating down said river.

May erect a boom, &c.

SECT. 4. *Be it further enacted,* That if any person or persons shall wilfully injure or destroy said booms, piers or other works connected therewith he or they shall pay treble the amount of damages to the party injured to be recovered by an action of trespass. And if said company shall receive into said boom any boats, rafts, logs or other lumber without the consent of the owners thereof, and shall detain the same 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.

Penalty for injuring or destroying said boom.

Penalty for receiving into said boom logs, &c., without consent of the owner.

SECT. 5. *Be it further enacted,* That it shall be the duty of said company to raft all the lumber in said boom belonging to any individual when thereby requested—without unnecessary delay securely and faithfully with suitable poles and lock-downs or with warps when furnished with the same by the owner of the lumber thus to be rafted. And it shall be the duty of said company to turn out of their boom as soon as may be not exceeding one day and in the day time free from all charge or expense all lumber which they

Corporation shall raft all lumber, &c.

To turn out all lumber they have not been requested to stop.

have not been requested to stop or secure in their booms aforesaid, and also immediately all rafts and boats which may by accident be drawn into said booms, and said company shall be liable and the private property of the stockholders shall be holden to the owners thereof for all damages sustained by reason of the unnecessary detention of such rafts, boats and lumber.

Private property holden for damages &c.

SECT. 6. *Be it further enacted,* That there be allowed to said corporation such toll upon the lumber boomed, rafted and secured as aforesaid, as the parties may agree upon and for the tolls aforesaid a lien upon said lumber is created.

Toll, as parties may agree.

SECT. 7. *Be it further enacted,* That any two of the persons named in the first section of this Act may call the first meeting of said company at such time and place and in such manner as they may judge expedient and proper.

First meeting, how called.

SECT. 8. *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 498.

AN ACT to provide in part for the expenditures of government.

Approved March 23, 1838.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That in order to provide for the operation of certain Acts and Resolves of the Legislature requiring the payment of money from the Treasury; and also to provide for the necessary expenditures of the government, for the current year, the following sums be and the same are hereby appropriated, to be paid out of any moneys in the Treasury. And the Governor, with the advice of Council, is hereby authorized, at any time prior to the first day of January next, to draw his warrants on the Treasurer of the State for the same: *Provided how-*