

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)

ACTS AND RESOLVES

PASSED BY THE

TWENTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1845.

~~~~~  
Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,  
and March 16, 1842.  
~~~~~

AUGUSTA:

WM. T. JOHNSON, PRINTER TO THE STATE.

1845.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1845.

CHAP. 241.

gift, grant, will or other writing, whereby any estate or other interest was intended to pass to the said corporation.

Power to defend suits at law, &c.

SECT. 3. Said corporation shall have power to prosecute and defend suits at law and in equity ; to have and use a common seal ; to make by-laws and regulations, for the management of its affairs, not repugnant to the laws of this state ; and to have all the powers and privileges, and be subject to all the duties and liabilities, belonging to similar corporations in this state.

By-laws.

Privileges and liabilities.

SECT. 4. This act shall be in force after its approval by the governor.

[Approved March 15, 1845.]

Chapter 241.

AN ACT to incorporate the town of Waldo.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Town of Waldo incorporated.

SECT. 1. That Waldo plantation, so called, in the county of Waldo, with the inhabitants thereof, is hereby incorporated into a town by the name of Waldo ; vested with all the powers, and subject to all the duties, of other incorporated towns in this state.

Meeting for choice of officers.

SECT. 2. Any justice of the peace, for said county, may issue his warrant, directing some person resident in said town, to notify the inhabitants thereof to meet, at a time and place in said warrant specified, for the choice of town officers.

[Approved March 17, 1845.]

Chapter 242.

AN ACT to extend the authority of the Kennebec Log Driving Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Power to enter certain booms for the rafting of logs.

Manner of rafting.

SECT. 1. The Kennebec Log Driving Company, by its directors or agents, is hereby authorized and empowered to enter into any and all booms on Kennebec river, between Augusta bridge and Trott's cove, and raft up all the logs which may be in such booms, rafting the logs of individual owners, whose marks may be furnished by such owners to the clerk or master raftsman of said company, or may be known to said company, by themselves ; and keep all logs so rafted in places of usual safety and convenience, for delivery to

CHAP. 242

the owners thereof, at the risk of said company, so far as boomage is concerned, until so delivered to said owners or deposited in booms as hereinafter provided; and the said company shall pay to the boom owners ten cents per stick or log, to be in full for the boomage of each log or stick so rafted, and the boom owner shall be allowed to charge boomage on all logs so rafted by said company, computing from the end of each day's work; and the owners of the logs shall pay to said company twelve and one-half cents per log or stick for all logs so rafted and delivered, including boomage, expense of rafting, use of rigging, wedges, and so forth: *provided*, said logs be taken into the custody of the owners thereof within forty-eight hours after being so rafted, computing from the end of each day's work; and in case the logs of any owner or owners shall remain under the rigging of said company a longer time than forty-eight hours, the owners shall pay to said company a further sum, not exceeding one cent per log, if taken by the owners within six days after the expiration of the forty-eight hours above mentioned; and when requested by any owner or agent for any logs, said company shall keep such logs a further time of four days, for which a sum not exceeding one cent per log shall be charged; and if not taken then, said company shall cause them to be deposited, in such deposit booms as they may designate, at the risk of the owners thereof, after they are counted and deposited in said booms, and subject to the boomage and expenses aforesaid, together with such other expenses as may properly accrue after that time; and if any owner or owners of such logs shall neglect or refuse to take his or their logs into their possession and pay the boomage and expenses as aforesaid, until the fifteenth of October, in each year, the directors of said company shall on the first Tuesday of November following, cause so many of the logs of the several owners to be sold, as shall be sufficient to pay all expenses that may have arisen on said logs, including the expense of sale. All such sales to be at public auction, at the office of said company, ten days notice of said sale having been given by the treasurer of said company, by publishing the same in some newspaper printed in the towns of Augusta, Bath, Gardiner and Wiscasset, if any such there be. It shall be the duty of said directors to procure substantial and safe deposit booms for keeping such logs, at the lowest possible prices, and cause the logs so rafted and deposited to be placed in the smallest number of booms practicable to their being safely and conveniently kept, and they shall cause the logs of each owner to be deposited by themselves, so far as it can conveniently be done. And all logs shall be at the risk of said company, from the time they are placed

Rafts of logs to be kept in places of safety, until delivered, &c.

Boomage to be paid boom owners.

Boomage, how computed.

Amount that shall be paid, per log, by the owner to the company.

Additional amount if not taken within 48 hours after rafting.

If not called for within a certain time, course to be adopted by the company, and further liability of owner.

If not called for previous to the 15th of October, said company may sell, &c.

Notice of sale to be given.

Deposit booms

Logs of similar marks to be kept as much as possible by themselves.

CHAP. 242.

Liability of said company for damages, &c.

Time that said company shall commence rafting.

Notice to be given.

Penalty for neglecting to raft all logs, &c.

Owners of logs may collect and raft their own logs.

Boomage.

Proviso.

Logs not afloat at high water free from boomage, &c.

Certain provisions of former act not applicable.

Limitation of price of boomage.

Proviso.

To keep account of all receipts and expenses.

under rigging by said company or their agents, until they are delivered to the owners thereof, or deposited in the booms selected for their safe keeping as is herein before provided, so far as boomage and expenses are concerned; and said company shall be liable for all injuries or damages which may be sustained by the owner of any boom, by the mismanagement or negligence of any agent or raftsman in the employ of said company.

SECT. 2. Said company shall cause the rafting aforesaid to be commenced as early as the fifteenth day of July, in each year, first giving public notice of the time and place of commencing, by publishing the same in some newspaper printed in the town of Augusta, Bath, Gardiner and Wiscasset, if any such there be; and it shall be the duty of said company faithfully to raft from each and every boom, between Augusta bridge and Trott's cove, all the logs of each owner, and in case of neglecting so to do, the said company shall pay the owner of any logs or booms so neglected to be rafted, a sum equal to double the amount of damages sustained by said owners by such neglect.

SECT. 3. If any owners of logs shall wish to collect their logs, or any part thereof, such owner or owners may proceed to collect and raft such a number of their logs as they may wish, they paying the owner of the boom ten cents boomage for each log or stick, to be taken in the booms by the owners of the logs, or if rafted and delivered outside the booms, then twelve and one-half cents to be paid for each stick or log so rafted: this liberty not applying to any boom on which the company or their agent shall be actually at work, except it be so done as not to interfere with said company. All logs not afloat at high water, shall be free of boomage, or the expense of putting afloat shall be deducted from the boomage on said logs.

SECT. 4. So much of an act entitled an act to regulate private booms on Kennebec river, as relates to the boomage and rafting of logs, and is otherwise inconsistent with the provisions of this act, shall not apply to logs rafted from said booms by the Kennebec Log Driving Company, but in lieu of the boomage prescribed in said act, the owners of booms shall be entitled to no more than ten cents per stick, for boomage of each log, rafted by said company or by the owners of logs as provided in the third section of this act. *Provided*, the boomage be paid or secured to boom owners on the delivery of any logs to the said company; a separate and exact account of all receipts and expenses, arising from the rafting operations of said company, shall be kept as provided in the third section of an act relating to said company, passed in eighteen hundred and

forty three, which account shall be laid before the company at each annual meeting ; so much of the eighth section of an act relating to this company, approved March third, eighteen hundred and forty-three, as relates to the publishing a list of the marks of logs, with the amount assessed upon each mark, is hereby repealed, and in lieu thereof, the treasurer shall be required to give notice of the time and place of sale of all logs referred to in said section, without giving each mark separately. In all other respects complying with the provisions of said section ; and this act shall take effect from and after its approval by the governor.

CHAP. 243.

Certain provisions of the act passed March 3, 1843, repealed.

Treasurer to give notice of time and place of sale.

[Approved March 17, 1845.]

Chapter 243.

AN ACT authorizing the erection of a wharf in the tide waters of Eastport.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Lorenzo Sabine and Samuel Stevens, their heirs and assigns, are hereby authorized, at their own expense, to erect a wharf on their own land, in the town of Eastport, bordering upon Passamaquoddy bay, fifty feet wide and extending in length so far below low water mark as that a vessel of three hundred tons burden may, when loaded, lie afloat at said wharf at low water ; said wharf to be built upon the north side of Union wharf, and parallel thereto, upon the land on which Warren Hatheway was authorized to build a wharf by an act passed on the twenty-eighth day of February, eighteen hundred and thirty-three : *provided*, that said wharf shall not extend eastwardly beyond the eastern end of Union wharf.

The erection of a wharf authorized.

Description.

How located.

Proviso.

[Approved March 17, 1845.]

Chapter 244.

AN ACT to incorporate the Proprietors of the Bath New Church Temple.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Zina Hyde, William D. Sewall and John B. Swanton, with their associates, who are, or may become, proprietors or owners of pews in the house of worship in Bath, called the New Church Temple, so long as they shall remain proprietors or owners

Corporators.